

PB# 93-17

**Windsor Crest (Phase I)
(Amendment III)**

35-1-41

P.B. # 93-17 Windsor Crest - Phase I - Amendment III

Approved 11-15-93

No Cost Est

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

13306

May 5 19 93

Received of New Hectop Development Corp. \$ 150.00

One Hundred fifty and — 00 DOLLARS

For P.B. #93-17 Application Fee 100

DISTRIBUTION:

FUND	CODE	AMOUNT
CK 1841		150.00

By Pauline M. Townsend
Town Clerk
Title

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TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

13307

May 5 19 93

Received of Town Clerk \$ 750.00

Seven Hundred fifty — 00 DOLLARS

For P.B. #93-17 New Hectop Dev. Corp. - Escrow

DISTRIBUTION:

FUND	CODE	AMOUNT
CK #1843		750.00

By Juan Zappala
Deputy Controller
Title

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TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

13308

October 20, 19 93

Received of New Hectop Development Corp. \$ 150.00

One Hundred fifty and 00/100 DOLLARS

For Planning Board Approval Fee (#93-17)

DISTRIBUTION:

FUND	CODE	AMOUNT
CHK # 2271		150.00

By Pauline M. Townsend
Town Clerk
Title

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McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: WINDSOR CREST (HILLTOP) CONDO SITE PLAN
PHASE I AMENDMENT
PROJECT LOCATION: NYS ROUTE 32
PROJECT NUMBER: 93-17
DATE: 12 MAY 1993

1. The application involves some additions and adjustments to the previously approved Phase I site plan, some of which are proposed for immediate action and some of which are noted for action during the construction of Phase II. The Board should note the difference between the timing of these various elements.
2. The following is a general outline of the proposed changes and any concept comments regarding same:
 - a. Highway Curb and Sidewalk - The plan depicts concrete sidewalk and curb along the State highway. These improvements must conform with the NYSDOT requirements, which would (to my understanding) require a 5' wide sidewalk. As well, the details of construction must comply with NYSDOT requirements. This matter should also be coordinated with a reported/anticipated highway improvement.
 - b. School Bus Shelter - This item should be discussed with regard to the manner in which same will be considered from a zoning standpoint. Will this shelter be subject to zoning setback requirements? Can this shelter be considered a highway improvement maintained by the Applicant? This should be further discussed.
 - c. Water Pump Station - It is my understanding that this pump station is now designed to provide improved pressure for the entire project. As such, the pump station is being relocated to the position shown. This appears to be an improvement for the entire project.
 - d. Recycle Center - The recycle center would most likely be subject to heavier traffic conditions for trucking pick-up of the refuse and recycle material. As such, the Board should discuss any concern with regard to the lesser pavement structure in this area, given the now proposed increase in truck traffic. Otherwise, I have no concerns regarding this accessory structure.

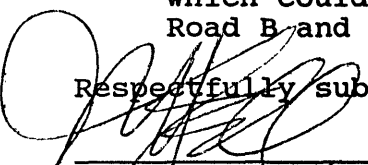
TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: WINDSOR CREST (HILLTOP) CONDO SITE PLAN
PHASE I AMENDMENT
PROJECT LOCATION: NYS ROUTE 32
PROJECT NUMBER: 93-17
DATE: 12 MAY 1993

- e. Interior Walkways - This appears to be an improvement to the site plan; however, at this time I cannot determine what slopes would exist since this plan has no topographical contours. The Applicant should exercise due caution in locating these walkways to avoid excessive slopes.
 - f. Detention Pond A Revisions - As previously noted, my only concern with regard to this item is maintaining acceptable capacity for the detention pond, based on the revised stormwater management calculations. Unauthorized construction has occurred with regard to this issue and I am extremely concerned that the required capacity of this basin has been compromised. At this time, the requested evaluation of the capacity has not been submitted by the Applicant's Engineer, therefore it has not yet been established that the improvements can be made without a negative effect on the stormwater management facilities. This is a significant concern for the continued development of the project.
 - g. Units 11 - 14 - The plan proposes modifications to the footprint of this building. I have no concern with regard to this matter.
3. There have been some other modifications discussed for the Phase I portion of the projects, such as revision to the fencing for the detention pond. The Board should discuss, with the Applicant, any other changes which are proposed, insuring that these are properly documented on the plan for approval by the Board.
4. The Board should discuss the status of all corrective measures previously discussed which have been enacted or completed by the Applicant/developer. Two (2) items which remain outstanding, which could be discussed, for the record, are the status of Road B and the deficiencies for the north Road A.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A:WINDSOR.mk

May 24, 1993

Honorable James Petro, Chairman
New Windsor Planning Board
555 Union Avenue
New Windsor, NY 12553

Dear Mr. Petro:

Since your board meeting on May 12, 1993, some limited action to correct the problems existing in Phase I of the Windsor Crest Development have been started. However, these efforts have been beset with problems resulting in once again conditions being in a state of limbo. We strongly urge your board to request a schedule of completion for all unfinished items. This would also provide your board with a means of monitoring the progress in Phase I. Such a schedule was promised by the developer but has not been forthcoming. Also, as per your instructions and our wishes, the developer has not met with the homeowners to get our input on any problems such as trees, curbs, drains, etc.

The interest and cooperation of your board is very much appreciated. Without it, the homeowners would lose all control.

Respectfully,

WINDSOR CREST HOMEOWNERS
PHASE I

cc: Planning Board Members

RESULTS OF P.B. MEETING

DATE: May 12, 1993

PROJECT NAME: Windsor Crest - Phase I PROJECT NUMBER 93-17

LEAD AGENCY:

* NEGATIVE DEC:

M)___ S)___ VOTE:A___ N___

* M)___ S)___ VOTE:A___ N___

CARRIED: YES___ NO___

* CARRIED: YES:___ NO___

PUBLIC HEARING: M)___ S)___ VOTE:A___ N___

WAIVED: YES___ NO___

SEND TO OR. CO. PLANNING: M)___ S)___ VOTE:A___ N___ YES___ NO___

SEND TO DEPT. OF TRANSPORT: M)___ S)___ VOTE:A___ N___ YES___ NO___

DISAPP: REFER TO Z.B.A.: M)___ S)___ VOTE:A___ N___ YES___ NO___

RETURN TO WORK SHOP: YES___ NO ☒

APPROVAL:

M)___ S)___ VOTE:A___ N___ APPROVED:___

M)___ S)___ VOTE:A___ N___ APPR. CONDITIONALLY:___

NEED NEW PLANS: YES___ NO___

DISCUSSION/APPROVAL CONDITIONS:___

To be on next agenda, if ready.

May 11, 1993


Hon. James Petro, Chairman
New Windsor Planning Board
555 Union Ave.
New Windsor, N.Y. 12553

Dear Mr. Petro:

It is our understanding that Mr. Gary Sherman will be presenting a list of problem areas pertaining to Phase One of Windsor Crest at your May 12, 1993, meeting. We strongly urge your Board to stipulate that timely, satisfactory corrections be a requisite for any approval of Phase Two. As owners we want to see the full development of the project but, given the track record up till now, we ask that your Board insure compliance.

We are very appreciative of your Board's safeguarding our interests.

Sincerely yours


Virginia R. Millar

c.c. All Board Members

William J. & Virginia R. Millar
Windsor Crest Unit 55
New Windsor, New York 12553

Tel: 565-6526

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/19/93

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 93-17

NAME: WINDSOR CREST - PHASE I (AMENDMENT III)

APPLICANT: NEW HILLTOP DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
05/05/93	S.P. MINIMUM	PAID		750.00	
04/28/93	P.B. ATTY. FEE	CHG	35.00		
04/28/93	P.B. MINUTES	CHG	94.50		
05/12/93	P.B. ATTY FEE	CHG	35.00		
05/12/93	P.B. MINUTES	CHG	85.50		
05/26/93	P.B. ATTY. FEE	CHG	35.00		
05/26/93	P.B. MINUTES	CHG	90.00		
09/08/93	P.B. MINUTES	CHG	45.00		
10/18/93	P.B. ENGINEER FEE	CHG	95.00		
10/19/93	RETURN TO APPLICANT	CHG	235.00		
		TOTAL:	750.00	750.00	0.00

Please issue a check
in the amount of \$235.00 to:

New Hilltop Development Corp.
16 East 34th Street, 16th floor
New York, N.Y. 10016

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/15/93

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 93-17

NAME: WINDSOR CREST - PHASE I (AMENDMENT III)
APPLICANT: NEW HILLTOP DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
05/26/93	P.B. APPROVAL FEE	CHG	150.00		
10/19/93	CK # 2271	PAID		150.00	
		TOTAL:	150.00	150.00	0.00

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 11/15/93

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 93-17

NAME: WINDSOR CREST - PHASE I (AMENDMENT III)
APPLICANT: NEW HILLTOP DEVELOPMENT CORP.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
11/15/93	PLANS READY TO STAMP	APPROVED
05/26/93	P.B. APPEARANCE . NEED PUBLIC IMP. BOND	LA:ND WVE PH-APPRD - MINOR, DO NOT SEND TO O.C.P.D.
05/12/93	P.B. APPEARANCE	NEXT AGENDA IF READY

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/26/93

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 93-17

NAME: WINDSOR CREST - PHASE I (AMENDMENT III)

APPLICANT: NEW HILLTOP DEVELOPMENT CORP.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	05/05/93	MUNICIPAL HIGHWAY	05/14/93	APPROVED
ORIG	05/05/93	MUNICIPAL WATER	05/14/93	APPROVED
ORIG	05/05/93	MUNICIPAL SEWER	/ /	
ORIG	05/05/93	MUNICIPAL SANITARY	/ /	
ORIG	05/05/93	MUNICIPAL FIRE	05/07/93	APPROVED
ORIG	05/05/93	PLANNING BOARD ENGINEER	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/19/93

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 93-17

NAME: WINDSOR CREST - PHASE I (AMENDMENT III)
APPLICANT: NEW HILLTOP DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
05/05/93	S.P. MINIMUM	PAID		750.00	
04/28/93	P.B. ATTY. FEE	CHG	35.00		
04/28/93	P.B. MINUTES	CHG	94.50		
05/12/93	P.B. ATTY FEE	CHG	35.00		
05/12/93	P.B. MINUTES	CHG	85.50		
05/26/93	P.B. ATTY. FEE	CHG	35.00		
05/26/93	P.B. MINUTES	CHG	90.00		
09/08/93	P.B. MINUTES	CHG	45.00		
10/18/93	P.B. ENGINEER FEE	CHG	95.00		
	TOTAL:		515.00	750.00	-235.00

(A)

A. \$ 235.00 to be returned to Applicant
B. \$ 150.00 Due to the Town of New Windsor - Approval fee

Please note: this must be a separate check for (B) Approval fee

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/19/93

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 93-17

NAME: WINDSOR CREST - PHASE I (AMENDMENT III)
APPLICANT: NEW HILLTOP DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
05/26/93	P.B. APPROVAL FEE	CHG	150.00		
			-----	-----	-----
		TOTAL:	150.00	0.00	150.00


(B)

NEW HILLTOP DEVELOPMENT CORP.
16 EAST 34TH STREET, 16TH FLOOR
NEW YORK, NY 10016

2271

10/19/1993 1-12 069
210

PAY TO THE ORDER OF Town of New Windsor \$ 150.00
One hundred and fifty DOLLARS

 **CHEMICAL**
CHEMICAL BANK
59 WEST 86TH STREET
NEW YORK, NY 10024

FOR _____


⑈002271⑈ ⑆021000128⑆ 069⑈029768⑈

NEW HILLTOP DEVELOPMENT CORP.
16 EAST 34TH STREET, 16TH FLOOR
NEW YORK, NY 10016

2273

10/19/1993 1-12 069
210

PAY TO THE ORDER OF Town of New Windsor \$ 12,718.00
Twelve thousand seven hundred and Eighteen DOLLARS

 **CHEMICAL**
CHEMICAL BANK
59 WEST 86TH STREET
NEW YORK, NY 10024

FOR _____

⑈002273⑈ ⑆021000128⑆ 069⑈029768⑈

TOWN OF NEW WINDSOR

TRUST AND AGENCY FUND

555 UNION AVE.
NEW WINDSOR, NY 12553

1824

PAY
TO THE
ORDER OF

John J. New Windsor
Twelve Thousand Five Hundred Sixty Eight & 80/100

10-18 19*92*

29-1
213 520

\$ *12568.80*

DOLLARS



NORSTAR BANK
Newburgh 52001
Newburgh, NY 12550

George A. Green
[Signature]

FOR *EX-123456*

⑈001824⑈ ⑆021300019⑆ 520 9000433⑈

NEW HILLTOP DEVELOPMENT CORP.

16 EAST 34TH STREET, 16TH FLOOR
NEW YORK, NY 10016

2272

PAY
TO THE
ORDER OF

Town of New Windsor

10/19/93 1-12 069
210

\$ 8,000.00

Eight Thousand

DOLLARS



CHEMICAL BANK
59 WEST 86TH STREET
NEW YORK, NY 10024

FOR Cash Bond, Phase I completion

⑈002272⑈ ⑆021000128⑆ 069⑈029768⑈

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/19/93

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 93-17

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APPLICANT: NEW HILLTOP DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
05/05/93	S.P. MINIMUM	PAID		750.00	
04/28/93	P.B. ATTY. FEE	CHG	35.00		
04/28/93	P.B. MINUTES	CHG	94.50		
05/12/93	P.B. ATTY FEE	CHG	35.00		
05/12/93	P.B. MINUTES	CHG	85.50		
05/26/93	P.B. ATTY. FEE	CHG	35.00		
05/26/93	P.B. MINUTES	CHG	90.00		
09/08/93	P.B. MINUTES	CHG	45.00		
10/18/93	P.B. ENGINEER FEE	CHG	95.00		
		TOTAL:	515.00	750.00	-235.00

(A)

A. \$ 235.00 to be returned to Applicant
B. \$ 150.00 Due to the Town of New Windsor - Approval fee

Please note: this must be a separate check for (B) Approval fee

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 10/19/93

PAGE: 1

LISTING OF PLANNING BOARD FEES
APPROVAL

FOR PROJECT NUMBER: 93-17

NAME: WINDSOR CREST - PHASE I (AMENDMENT III)
APPLICANT: NEW HILLTOP DEVELOPMENT CORP.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
05/26/93	P.B. APPROVAL FEE	CHG	150.00		
			-----	-----	-----
		TOTAL:	150.00	0.00	150.00

(B)

RESULTS OF P.B. MEETING

DATE: May 26, 1993

PROJECT NAME: Windsor Crest - I Amendment PROJECT NUMBER 93-17

LEAD AGENCY:

* NEGATIVE DEC:

M) S S) L VOTE: A 4 N 0

* M) L S) S VOTE: A 4 N 0

CARRIED: YES ✓ NO

* CARRIED: YES: ✓ NO

PUBLIC HEARING: M) L S) S VOTE: A 4 N 0

WAIVED: YES ✓ NO

SEND TO OR. CO. PLANNING: M) S S) ✓ VOTE: A N YES ✓ NO

SEND TO DEPT. OF TRANSPORT: M) S S) ✓ VOTE: A N YES ✓ NO

DISAPP: REFER TO Z.B.A.: M) S S) ✓ VOTE: A N YES ✓ NO

RETURN TO WORK SHOP: YES ✓ NO

APPROVAL:

M) S S) L VOTE: A 4 N 0 APPROVED: 5/26/93

M) S S) ✓ VOTE: A N APPR. CONDITIONALLY: ✓

NEED NEW PLANS: YES ✓ NO

DISCUSSION/APPROVAL CONDITIONS: ✓

5/26/93 Increase sidewalk to 5'
Need letter from Town Board + D.C. T. for sidewalks + Bus Stops

Public Improvement Board Estimate Due



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
400 Broad Street
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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: WINDSOR CREST (HILLTOP) CONDO SITE PLAN
PHASE I AMENDMENT
PROJECT LOCATION: NYS ROUTE 32
PROJECT NUMBER: 93-17
DATE: 26 MAY 1993

1. As discussed at the 12 May 1993 Planning Board meeting, the amendment involves several changes to the previously approved project. The following is a list of items which I have reviewed, as well as any comments regarding same.
 - a. Highway Curb and Sidewalk - As previously noted, it is my understanding that the sidewalk must be 5' in width. As well, some indication from the NYSDOT should be received indicating their intent to accept what is proposed, should the Town Board approve the installation.
 - b. School Bus Shelter - I have reviewed this matter with the Town Attorney, who indicates no objection to the approach for installation and maintenance. My only remaining concern regarding this item is acknowledgement from the NYSDOT and Town Board regarding acceptability, as well as verification that the shelter will not create a sight distance problem for exiting traffic from the south drive.
 - c. Water System - It is my understanding that the water system has received approval from the Orange County Department of Health.
 - d. Detention Pond Revisions - I have met with the project engineer and reviewed, on a preliminary basis, modifications necessary to both detention basins, such that compliance with previous conditions of approval can be maintained. At this time, it is my understanding that the revised cross-section of the detention basins, with enhanced landscaping, is acceptable from a technical standpoint, if the adjustments recommended by Shaw Engineering are implemented. Final review and acceptance of the drainage study will be coordinated as part of the Phase II approval.

TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

-2-

PROJECT NAME: WINDSOR CREST (HILLTOP) CONDO SITE PLAN
PHASE I AMENDMENT
PROJECT LOCATION: NYS ROUTE 32
PROJECT NUMBER: 93-17
DATE: 26 MAY 1993

- e. Paving Deficiencies - As previously discussed, it is my recommendation that the deficiencies for the North Road paving be included in the Bond amount for the sidewalk construction.
2. Other issues were discussed as part of the previous review comment sheet; my comments regarding same remain as indicated on the 12 May 1993 comment sheet.
 3. The Planning Board may wish to assume the position of Lead Agency under the SEQRA process.
 4. The Planning Board should determine, for the record, if a Public Hearing will be necessary for this Site Plan Amendment, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.
 5. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
 6. The status of referrals to the New York State Department of Transportation and Orange County Planning Department should be discussed.
 7. The applicant should be directed to submit a Public Improvement Bond Estimate to the Town Engineer for review.
 8. At such time that the Planning Board has made further review of this application, further engineering reviews and comments will be made, as deemed necessary by the Board.

Respectfully submitted,


Mark J. Edsell, P.E.
Planning Board Engineer

MJEmk

A:WINDSOR2.mk

WINDSOR CREST HOMEOWNERS
232 WINDSOR HIGHWAY
NEW WINDSOR, NY 12553

June 4, 1993

Honorable James Petro, Chairman
New Windsor Planning Board
555 Union Avenue
New Windsor, NY 12553

Dear Mr. Petro:

During your May 26th Planning Board meeting, we were pleased to hear Mr. Michael Waskew's acceptance of our proposal to meet with a small group of owners and systematically schedule and correct the existing problems in Phase I at Windsor Crest. At a subsequent meeting, a series of corrections for a specific area were discussed and a correction deadline of June 7th was set and agreed to by Mr. Waskew.

We are cautiously optimistic with this new approach which became possible only through and with the cooperation of your board and engineer. Without this assistance, our outlook was quite disheartening. We want to again express our sincere appreciation for the continued support of you and your members.

Respectfully,

WINDSOR CREST HOMEOWNERS
PHASE I

cc: Planning Board Members
Town Engineer

WINDSOR CREST SITE PLAN -PHASE I (93-17) RT. 32

Gregory Shaw of Shaw Engineering and Michael Waskew appeared before the board on this proposal.

MR. SHAW: We were before this board two weeks ago discussing the amended site plan number 3 for Phase 1 of Windsor Crest. My recollection of that meeting is that there was two outstanding items, one of which was the storm water detention ponds and the second item was the willows within the detention pond. Subsequent to that meeting, we went and revised the report that was previously submitted to this board and the revised addition of the drainage report was submitted to your consulting engineer for his review. That report addressed not only the new contours in the detention pond, those contours being that which you see today as you ride by but also if we were to take what we did with detention pond A with respect to the filling of the pond to create positive drainage to get rid of the stagnant water and mosquitoes and weeds and transpose it over to the detention pond B so that then that was part of the drainage report that was submitted I believe it was Monday to your consulting engineer for review. And that Mr. Edsall can comment on the adequacy of the report and whether or not there's sufficient volume there to detain storm water flows. The other issue was the willows and whether or not that was inappropriate species in the detention pond area and Mike I don't know if they have a copy of that letter.

MR. WASKEW: I don't think the board does. What we did is kind of as a two prong situation. One is that I met with some representatives of the homeowner's association and we have decided to have a regular weekly meeting to discuss issues like specifically the trees. I guess what I am saying is that when you are building something like that and it's this far along, it becomes less of a construction project and more of an emotional situation particularly of people that live there, it's a community as much as as condo so the community is concerned about these trees and I know the Planning Board expressed some concerns about those trees. The two sides of the story or one that we get

some recommendations from somebody who's converse in this field expert and we went to Devitt's and specifically asked, here's the situation we have this detention pond area, soil is such and such, what should we do. A letter came back which I have a copy of and I'll give to the Planning Board from Mr. Coburn (phonetic) which says that as per your inquiry regarding which species of trees would be most suitable for the wet, heavy soil areas of your Windsor Crest, they would be, Weeping Willow, Scarlet Maple or River Birch. Most obvious for the area would be the Weeping Willow and it goes on to say if you have any further questions, please do not hesitate to call me. However, I know that there are some objections to the Willow despite this letter and the way to handle it I think and the only reasonable way to handle it is to have it be a situation that gets resolved between the homeowners, the developer has agreed to modify the planting in this area if that is the wishes to the combined group.

MR. LANDER: Modify meaning what?

MR. WASKEW: If we have to take the Willow's out and replace them with one of the other recommended that is what we'll do but I think we need to discuss implications of all those trees, you've got 3 species to deal with and I know one of the homeowners is in the same business so he might certainly be on that committee.

MR. DUBALDI: Would you tell that person the reason why people are having objections to the Willows, does he know that you have a system that might get clogged up felt.

MR. WASKEW: Other trees drop leaves and other things I think whichever it is resolve it that way. What I am saying for the record if that committee gets together and we decide that what's the worse case all the Willows have to go out and they get replaced by red maples, if that is the decision of the committee that is what will happen.

MR. PETRO: He touched on two items and I don't want to

say this to be like a wise guy, I had that letter last time I read it on the letter there were 21 items.

MR. SHAW: What letter?

MR. PETRO: From the homeowner's association and items that the Planning Board had asked about in Phase One particularly. I'm sure some of them were worked out I'm sure that some of them haven't been worked out you touched upon the willows and the detention pond. The water in the foundation, leaders and gutters, water undermining driveways, driveways to be cut away, improve lighting at both entrances, lighting around the clubhouse, where do you want to start? This is all Phase One.

MR. WASKEW: I think like a previous conversation some of these are site details which aren't something that necessarily the Planning Board wants to go through issue by issue, I think that this committee of homeowners that has been proposed should likely carry, this is really like a site punch list is what we're talking about and I think that that committee can administer the completion of those items were scheduled to meet on a weekly basis, I'm talking loosely to the group in the back which we hope to be able to resolve these issues, issue by issue. All these things are going to be done, they are promised to be done, they are scheduled to be done one way or another. Driveways are undermining some of the items have been already repaired. There was a water problem in front of building 2 that has been repaired. There was some drainage problems around the tennis courts we believe that has been repaired. There were some issues with how the driveway repairs were done.

MR. PETRO: I'm going to go over a few of them because we have them in Mark's comments before we get started on Washington Green is not here, Washington Green is not bonded obviously this project is bonded.

MR. EDSALL: No, the only improvements that are bonded are any municipal improvements when a site plan private project is approved, there's a bond amount established that is only a listed value for all the key

site improvements. When they ask for a C.O., if work associated with that C.O. or that unit is not completed we have an amount pre-agreed so that they can post a bond so already no bonds, it's a progress I have a thing as far as asking for C.O.s and getting guarantees.

MR. PETRO: We're going to be in the same situation.

MR. EDSALL: If we don't manage the job on a closer basis yes but keep in mind that this process didn't exist when Washington Green was initially approved so we have got improved procedures now as compared to back then so it shouldn't get out of hand.

MR. SHAW: With Washington Green, you had the ultimate hammer which is the C.O.s.

MR. PETRO: I know but you see what happens you're going in the last building and you're going to be coming in and say can we get two more C.O.s, we're not supposed to be monitoring a project by doling out C.O.s.

MR. EDSALL: Not to cut in but to let you know since this procedure now is in existence for Phase Two which obviously Phase One was approved before this program was in effect if a grouping of buildings or a section they are looking for C.O.s Mike and I will go out if they have key site improvements around the units that aren't completed we're going to ask for a bond so there will be a posted amount for each grouping as they go.

MR. PETRO: So we have other recourse.

MR. EDSALL: It's going to be unit by unit on Phase Two, obviously Phase One got through before the procedures got adopted.

MR. PETRO: Then that is the reason why we're taking such a close look at Phase One in case we have little recourse.

MR. WASKEW: The other thing that I wanted to throw on the table is that there's a lot of Phase Two type work that is going to go on in Phase One and so from a

RETAKE
OF
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MR. WASKEW: The other thing that I wanted to throw on the table is that there's a lot of Phase Two type work that is going to go on in Phase One and so from a

practical standpoint, it's very difficult to repair say the curbs in this area of the site since we're going to go back in and rip out the road, redo the piping and redo the connections for the pump station and build the pump station and come back and do it. I know that the homeowner's, a letter was sent to you that is signed homeowners of Windsor Crest would like a schedule for this work, I would like a schedule for this work and I'm sure you would but I don't know that we can realistically schedule it. I don't know if we can repair the curb because it does not make sense to repair it before we rip up the road in order to do a pump station, et cetera. I thought from a practical standpoint, the right way to handle it internally is to insure that their needs are going to be met, would be to have like a site plan punch list committee that meets to resolve this. Should there be problems certainly they can come to the Planning Board or Town Board or building inspector or whoever.

MR. PETRO: You don't have a schedule?

MR. WASKEW: What I said I don't think it's practical to schedule.

MR. PETRO: I can understand that point and I'm sure that the people and the Planning Board felt on that one item there's a schedule that you can prepare for some of the other items.

MR. WASKEW: If we want to go through the items maybe the first thing that committee and I should do is meet and prepare that schedule and they can rationally understand what we're going to go is repair the curbs for example or the driveways in front of this row of buildings that may be part of a sidewalk construction, there are other ways to deal with those problems and I know it seems like it should be a simple solution, I don't mean to be evasive but I don't think practically I should commit myself to a schedule that I don't think I'm going to meet not because I don't want to.

MR. PETRO: At the next meeting, come out with an outline of some of the problems I want to get to some of Mark's comments because they are, we have so many of

them here I want to just get started. Driveway, curb and sidewalk as previously noted it's my understanding that the sidewalk must be five feet in width as well indication from DOT should be received indicating your intent to accept what's proposed should the Town Board approve the installation, what you do you have drawn on there?

MR. SHAW: This is along Windsor Highway, it's four foot sidewalk that can be increased to five feet.

MR. PETRO: Make a note and put that on the map. School bus shelter, I reviewed this matter with the Town Attorney who indicates, who objects to their approach for installation and maintenance. My only remaining concern regarding this item is acknowledgment from the New York State DOT and Town Board regarding acceptability as well as verification that the shelter will not create sight distance problem from the south drive. We need a letter from New York State DOT.

MR. EDSALL: If they need to shift it back an extra 3, 4, 5 feet whatever you have to do so it doesn't create a problem.

MR. WASKEW: What you're saying we should go to the Town Board.

MR. EDSALL: You have to go to the Town Board for the sidewalks, DOT doesn't allow you to install them unless the Town Board approves them at the same time you might as well ask about the school bus shelter. I don't believe it's going to be a problem but again they are the right people to say yes that is acceptable.

MR. PETRO: Water system, it's my understanding that the water system has received approval from the Orange County Department of Health. Detention ponds are revisions, Mark, go over that.

MR. EDSALL: In a nutshell, we've reviewed Greg's calculations based on the proposed configuration which has partially been completed on the south basin and although we're doublechecking some of the fine numbers, it's going to work from what we can see so I really

don't anticipate any problem.

MR. PETRO: Paving deficiencies, you want any work to be done or paving amount to be put in the bond for the sidewalks?

MR. EDSALL: That is what we and as well that is going to be the main construction entrance, it's going to get beat up if the DOT does proceed with work on the highway then it makes sense to overlay the pavement at that time so we might as well bond it and wait.

MR. WASKEW: I agree on that, there will be no problem with that.

MR. PETRO: The rest of it is procedural. Before we get into procedural, let's get back to, let me ask the board members do they see anything on the site plan for Phase One that needs to be discussed as far as something that we've missed? Ron, that building that is down close to Route 32 on the right-hand side of your plan, you weren't here, that was a change of footprint we approved that that was very minor in nature. Did you start work on the last building?

MR. WASKEW: We've excavated for the footings should be pouring tomorrow.

MR. LANDER: This building has changed in what way?

MR. WASKEW: Footprint has changed in two ways. Footprint has been modified, it's actually somewhat smaller, it was supposed to be the same footprint as this and whereas this used to be 6 flats stacked these are, there was going to be 4 flats stacked this is now 4 town home type buildings so the inside of it is different. Still 2 bedroom, 2 bathroom units which is what they were before square footage per unit is approximately the same internal layout as changed.

MR. LANDER: We've had not only one letter from the homeowner's there but 3 and I think what you said before you'd be hardpressed to try to schedule or come up with a schedule on some of this but I think a lot of this you can take care of or has already been taken

care of, May 11 and May 24 and May 11 again and I know you're new on board here and you weren't privy to what went on before but I think that they should be given every opportunity and I'm sure you'll give them that that their input on what should be done first as far as that I don't know if the Planning Board has the authority to tell you that well you have a water problem in this building, you have to correct it. So I think if you please them first you please the Planning Board all right and as far as the north drive which was subject to some recourse, if we wait for the State to overlay Route 32, we might all be collecting social security. I'm not quite there yet, it might be a while. That entrance drive up there is wrong and as far as I'm concerned, has to come out, doesn't have to come out right now but it's not just overlaying that driveway, that entrance drive is wrong to begin with. That driveway in the bond estimate has to come out and has to be redone. The other, there was no, I don't think there was, if I remember correctly, at the far end of that road whether or not the deficiencies were in the pavement or not but just the way it was laid out was wrong so we're going to have to address that in the bond so the bond is going to be more money.

MR. DUBALDI: I have a question on both roads A and B, what was the Road A north and Road A south what was the final determination on what kind of extra blacktopping we should be putting on that?

MR. PETRO: It was determined that it was adequate.

MR. DUBALDI: You do have Road A south failing in certain spots up on the top part, I went there myself, I made an inspection earlier this week and you can see parts of the road starting to break apart.

MR. PETRO: I believe Mike if I am wrong is the top coat not put on that on parts of that, is it completed?

MR. WASKEW: There's no top coat on parts of this here.

MR. DUBALDI: It happened here passed this, there's some failing.

MR. WASKEW: There's a catch basin in front of this building 33 when Phase Two is built we have to continue the storm drain up along this section, this portion of the pavement is coming out and this part is being re-paved for that catch basin.

MR. DUBALDI: You're having a lot of problems with driveways where the cars will be sitting in the driveways, you're having a situation where it's sinking, where the tires are in some cases it's probably as much as an inch if not more, there's even some parts of driveways that you have sink holes of about a foot deep and I'm not exaggerating and I will attest to that. I was out there, I think it's number 34 you have a situation where the drive was actually caving in and I'm not exaggerating, it's just right on the corner, it's not like it's in the middle and it's coming apart.

MR. WASKEW: For the record, if that is the case, those things will be repaired and that is part of the--

MR. DUBALDI: I don't understand how you're going to be able to repair the sink of a driveway unless you tear it up and take it out.

MR. WASKEW: If that is what it takes.

MR. DUBALDI: These aren't that old, what is it going to be like in a year or two? It's going to get worse and worse.

MR. WASKEW: I don't know what is causing that situation honestly I wasn't aware that there was that situation.

MR. DUBALDI: I wasn't either.

MR. PETRO: Take a look at it and I want to get to the pump station.

MR. DUBALDI: You're talking about the sink hole that we discussed but they'll tell you it's, I noticed it in a lot of different driveways, not just on units 33 and 34, it's many of the driveways that are existing and I

think that is going to be a problem down the road.

MR. PETRO: Well noted. The pump station is going to be part of Phase Two, be installed with Phase Two and bus shelter we have to discuss that on Route 32. The recycling center that was also added to this as a part of the amendment, you have more garbage being picked up in the area, when are you going to build the recycling center?

MR. WASKEW: We want to build that as soon as we can but it should be part of Phase Two, if you want us to schedule it in, it will be in this summer.

MR. PETRO: It's hard to have Phase Two approval when it's on Phase One site plan.

MR. EDSALL: That is shown as being built in Phase Two on the bottom and I missed it so I can admit that Greg pointed out that there's triangular designation for elements in Phase Two but he's showing them because they are being built in Phase One area.

MR. PETRO: I stand corrected on it. Are you looking for an approval for Phase One?

MR. WASKEW: We'd like an approval for the amended site plan for Phase One, the real reason we want to proceed with some of these issues and I think that as we get into the discussion of Phase Two, I think the bulk of the issues should be handled in the design in the approval for Phase Two, most of this I think is just as it's stated, it's a site plan amendment, it's really footprint changes and location of key items, additional items such as the pump station, bus shelter and of course the change in the footprint.

MR. LANDER: Where is the clock tower?

MR. WASKEW: You'll have the clock tower, you need zoning approval for that so we wanted to apply for that as if it were a sign.

MR. PETRO: How about the driveway openings to be cut back, I know some of them are on a 90 degree angle,

they weren't flared, has any of these, I keep going back to the letter of May 11, I don't want to belabor it.

MR. WASKEW: We have to cut the blacktop in some areas and we're going to propose a solution that first of the meetings with the homeowners where we replace the curbing and the lower edges of the driveways with an alternate kind of paving so it can double kind of as a pedestrian walkway and solve the curb problems and solve the cutback problems and perhaps solve the problems that also exist in some of those driveways, the problem is how do you solve it neatly without ripping up the whole site and I think we have come up with a solution although I haven't had an opportunity to present it to the homeowners but we have--

MR. PETRO: You've had a meeting already?

MR. WASKEW: Only individually with a couple of members of this committee.

MR. DUBALDI: I have a question. How do we know we're going to do this, there's no bond, what happens if Phase Two never gets built, what if they go bankrupt, what's going to happen to these people in Phase One. What guarantees are set in place that they are going to do it and don't get me wrong, I'm not saying you're deceiving us.

MR. PETRO: We have the C.O.s on the existing buildings. Mark, you can probably answer that better than me.

MR. EDSALL: A lot of the amendments that are shown on the plan are really additions, the pump station is effectively being added down to Phase One. It's really part of Phase Two so that you really couldn't burden Phase One with that is part of actually Phase Two water systems at the board request is being brought down to include Phase One. The bus shelter and recycling center are new elements, they are not really part of the original approval. The only part of this amendment that is something that effects what you have already approved is the changes to the detention ponds cause

they have a direct effect on the ability of the project to function. Greg has shown us that if they work forward on the minor changes that need to be made to the height of the berm top, maintain the storage capacity that in fact those ponds will function the same as what you previously approved. Really a lot of these things are part of Phase Two, you know, Phase One has already been approved and unfortunately for us and unfortunately for the people that live there some of the quality of the work left a lot to be desired but again it gets back to the Town of New Windsor.

MR. PETRO: They have intentions of correcting them and we do have one thing in our favor that the homeowners are taking an interest in it and I would suggest this so we don't belabor all these little problems of the project you're going to start having meetings with the people and I would suggest you're going to have to have an outline of a schedule or something of that nature. I do get letters regularly from the people there and I would suggest keep the letters coming and inform us at any time if you feel nothing is being done and then we can monitor the progress at that time. I have a feeling that they want to do what needs to be done, some work has been done, I can't believe nothing has been done. I hope that some progress has been made, we do have all Phase Two as a crutch to have things done in Phase One. We have C.O.s in Phase One that won't be issued possibly if work is not done maybe.

MR. EDSALL: I'll be real honest most of the problems that we're seeing in Phase One come down to quality and again it gets down to the fact that it is a private development and we as best possible try to protect the people but it's not a municipal job where the municipality has an inspector making sure that the sidewalk drops are correct.

MR. PETRO: I understand that.

MR. EDSALL: They have to demonstrate that they intend to work with these people and straighten out Phase One because they've got a good attitude for Phase Two that is the only hope.

MR. PETRO: I'm sure the builders and owners of the project would want to get better quality work.

MR. LANDER: We were all talking about detention pond A, what are we going to do with B, is that going to stay the way it is right now?

MR. SHAW: No. I mentioned earlier that when I prepared the storm drainage report to show New Windsor that adequate capacity exists even though we filled it in and provided positive drainage, I also incorporated into that report that work into pond B in other words I generated a drawing showing filling of the pond for positive drainage to get rid of the stagnant water, mosquitoes, weeds and once again, I proved to Mark and his drainage consultant that adequate capacity will exist, the berm is raised, I say raised, raised less than two feet. And we would like to, correct me if I am wrong, you'd like to get into that pond and straighten that out shortly.

MR. WASKEW: We'd like to get into that very shortly.

MR. SHAW: We can't do that until we get the okay on the drainage from your consultant which I believe we got tonight so part of the process would be to get the blessing from the board to go into pond B and straighten it out.

MR. EDSALL: Maybe just a suggestion, maybe that would work out for everybody. Again I've seen some of the problems that are in the quality of the work in Phase One and I had quite a number of arguments when they were doing it and trying to get it done right. Maybe if the Phase One amendment was allowed to go forward and before you would even consider Phase Two approval that there be affirm schedule set forth corrective work in Phase One that is found agreeable and a reasonable schedule that is acceptable to the homeowner's group that is now informed to Mike and his people and that be put on the record so that it's an obligation of Phase Two and that way if they don't meet up to that schedule, we sure as heck are going to hear from his people and we can monitor it while we're monitoring Phase Two proceedings. Because most of these, the

sidewalks and the items, most of them are Phase Two improvements.

MR. PETRO: Five foot sidewalk on 32 is Phase Two.

MR. EDSALL: That is not part of Phase One approval, that is something new that the board is asking for.

MR. LANDER: Didn't we ask for that in Phase One? It was always on 32 that sidewalk.

MR. EDSALL: I don't believe the original Phase One approval had the sidewalk.

MR. WASKEW: To my knowledge, it didn't have the approval, I know you asked for it a while ago.

MR. EDSALL: It's been built into it and nobody's arguing that we're going to get it and we're going to ask for a municipal bond since it's an improvement but we just have to have them lock themselves in on a realistic timeframe that before you approve it, the homeowners agree to the schedule and we just have to monitor it.

MR. LANDER: You make these homeowners happy and we're happy.

MR. PETRO: Come up with a little schedule planning on haivng a meeting sometime.

MR. WASKEW: There's a meeting scheduled for a week from Monday, the first meeting we're going to try to meet regular on Mondays through but this Monday is Memorial Day so prior to the next meeting, we can have at least an outline of a schedule and also of items by the next Planning Board meeting.

MR. PETRO: Lead agency for the amended site plan.

MR. LANDER: Before we do that, can we just run through the amendments that are on this site plan right now?

MR. PETRO: Sure.

MR. WASKEW: Just generally cover the items, proposed change in the shape and type of the detention basins although not changing any capacity. We're adding bus shelter, relocating pump station, actually adding building to the pump station, we're adding a recycling center, there are some modifications to the walkways within Phase One which are intended to connect to pedestrian ways in Phase Two and create internal pedestrian system. There's a charge to the footprint of building 6.

MR. PETRO: Same number of--

MR. WASKEW: Probably more pedestrian ways. But more internalized as well. And in the footprint to building 6 although no change in the unit counts or bedroom counts and modification of the walkways in front of the building now under construction which is building 9. And in addition of sidewalks along Route 32, I think that pretty much covers it.

MR. EDSALL: From what I have it marked here, I think you've got them all.

MR. DUBALDI: Road A south meets the specifications set forth by the Town?

MR. EDSALL: Road A south I believe showed that once the top coat was added within reasonable tolerance again short of tarring it up to get a half an inch extra pavement but I can tell you that the north road is substantially deficient and they are going to bond fixing that.

MR. PETRO: They are using that for construction road.

MR. EDSALL: So that bond is going to be written that they have to take up the curb far enough to get the proper thickness, it's assuming that what they have got is going to get destroyed and they have to reinstall it.

MR. WASKEW: That is a reasonable way to do it.

MR. LANDER: Whether it's reasonable or not is one

thing but the pavement if the pavement is deficient, you have to show me how you're going to make it so it isn't deficient before they raise the curbs on Road B which to me was the time but that is what they did and then added the blacktop but if it is you still have to show me.

MR. WASKEW: I guess we'd have to submit a drawing for approval for consultants.

MR. EDSALL: We'll bond it on an assumption that they've got to tear it out remove enough material to get in the proper base and get the top course on.

MR. LANDER: If the pavement is deficient that means the base is wrong more than likely.

MR. EDSALL: They didn't excavate deep enough to place the proper amount of pavement that means it's all got to come out unless you can push it down which I didn't think is possible.

MR. SCHIEFER: Make a motion take lead agency on the Windsor Crest condo site plan.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board take lead agency on the Windsor Crest condo site plan Phase One Amendent.

ROLL CALL

MR. SCHIEFER	AYE
MR. LANDER	AYE
MR. PETRO	AYE
MR. DUBALDI	AYE

MR. LANDER: Public hearing?

MR. PETRO: I would say the amendment is minor in nature the public there's already been a public hearing the public is certainly more informed than probably what's going on. I see it as being minor in nature as far as the configuration of the building. And any

other amendments Mr. Waskew had talked about? You're adding recycling center and pump station which we had to put there in the first place.

MR. LANDER: I agree with that so I make a motion that we waive public hearing.

MR. SCHIEFER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive public hearing on Windsor Crest condo site plan Phase One amendment. Any further questions from the board members? Roll call.

ROLL CALL

MR. SCHIEFER	AYE
MR. LANDER	AYE
MR. PETRO	AYE
MR. DUBALDI	AYE

MR. LANDER: That doesn't mean they are getting away with anything they are going to do the right thing or else forget Phase Two.

MR. PETRO: Someone make motion for SEQRA.

MR. LANDER: I make a motion that we declare negative dec.

MR. SCHIEFER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec for Windsor Crest condo site plan Phase One Amendment. Roll call.

ROLL CALL

MR. SCHIEFER	AYE
MR. LANDER	AYE
MR. PETRO	AYE
MR. DUBALDI	AYE

MR. PETRO: New York State Department of Transportation

and Orange County Planning Department again this is minor in nature for the both of them we're not adding or doing anything to the curb cut.

MR. EDSALL: The only item we should note obviously with regard to the sidewalk and the bus shelter, the Planning Board could approve it at any time with the understanding that those 2 elements require both approval of the Town Board and the DOT and if those approvals aren't obtained those 2 elements can't get put in obviously.

MR. PETRO: That is Phase Two.

MR. EDSALL: It's shown on this plan so we would just be fully understanding of that.

MR. LANDER: I think I'd like them to go to Town Board about that sidewalk in the front.

MR. EDSALL: Town Board said they wanted it but they have to adopt a resolution otherwise DOT won't talk to us.

MR. PETRO: Orange County Planning is minor in nature, I think we'd be clogging up the wheels. Applicant should be directed to submit public improvement bond estimate to the Town Engineer for review which will be done.

MR. WASKEW: Yes.

MR. PETRO: I'd like to direct our engineer at this time to do a preliminary bond estimate.

MR. SHAW: Fine.

MR. LANDER: Make sure he has it high enough too, Mark.

MR. PETRO: This is already an approved site plan what we're doing is improving if the vote should happen to go that way an amendment to that site plan outlined by Mr. Waskew earlier which includes the new configuration of that building and the change of the detention pond not to reduce the capacity of it but just the

configuration of it and some of the plantings and landscaping.

MR. LANDER: We're going to work on detention pond B.

MR. SHAW: Can you make a timeframe.

MR. WASKEW: We have been waiting to start working on detention pond B so we should start working on it but let's say Tuesday of next week we'll be working on the latest. We want to clear the detention pond up as much as you do.

MR. PETRO: With that, does any of the board members have any questions on the site plan itself or the amendments to the site plan? Mark, anything that needs to be cleaned up. I think we've touched upon everything.

MR. SCHIEFER: Make a motion we approve Windsor Crest Hilltop condo Phase One amendment.

MR. LANDER: I second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant approval to the Windsor Crest condo site plan Phase One amendment. Any further discussion from the board members? I'll say something before we go any further, let's get together with the people, let's get this thing cleaned up because again we're very pro everything but when Phase Two comes along and if we still have problems I have been on this board for about two years and I've spent more time with this project than any other five projects combined, I've had at least 10 or 15 site visits. I only live down the road and I'm tired of driving there so let's get it straightened out together with the people. I don't want to sit here and preach, get it going. Roll call.

ROLL CALL

MR. SCHIEFER	AYE
MR. LANDER	AYE
MR. PETRO	AYE

May 26, 1993

74

MR. DUBALDI

AYE

May 11, 1993

Mr. James Petro, Chairman
Town of New Windsor Planning Board
555 Union Avenue
New Windsor, NY 12553

Dear Mr. Chairman:

We the homeowners of Windsor Crest Condominiums respectfully request the backing of the Town of New Windsor Planning Board in order that we may have Phase I developed to the point that was originally promised and outlined in our prospectus by New Hilltop Development. Our experience has been completely unsatisfactory and before Phase II is constructed, we ask that the Planning Board ensure that the following problems are controlled on some sort of scheduled basis which the developer must adhere to:

STORM DRAINAGE

- Water problems
- Catch basin maintenance required
- Water intrusion in foundations
- Leaders and gutters discharge to be controlled
- Water undermining driveways and plantings in front of Units 27 and 28

DRIVEWAYS

- Driveway openings to be cut back
- Driveway grades (pitch) to be corrected
- Improve the transition from the North road into all driveways

LIGHTING

- Lighting at both entrances to development
- Lighting around the clubhouse and tennis courts

Mr. James Petro, Chairman
May 11, 1993
Page 2

RETENTION POND

- Completion of retention pond
- Mosquito and insect control on existing bodies of water and catch basins

LANDSCAPING

- Completed overall landscaping (removal of dead shrubs and trees)
- Removal of Hemlock Trees and planting of White Pine Trees

DUST CONTROL

- Dust control and cleaning of all roads on an on-going basis
- Road cuts on North road to be repaired and road to be surfaced pending final reconstruction

MISCELLANEOUS

- Completion of sprinkler system to working order (the blame was placed on inadequate water pressure by New Hilltop)
- Exterior foundation work to be completed
- Straightening of all utility pedestals

NEW HILLTOP DEVELOPMENT PROMISES

- Pump station
- Bus shelter
- Recycling center

Respectfully,

Windsor Crest Homeowners
Phase I

cc: All P.B. Members
George Green

WINDSOR CREST - PHASE I SITE PLAN AMENDMENT III (93-17)

Gregory Shaw of Shaw Engineering and Michael Waskew appeared before the board for this proposal.

MR. VAN LEEUWEN: One thing we have to make a decision on before we get started and I know you're longwinded okay, let's not get this thing into the whole night like we did last time.

MR. PETRO: Windsor Crest Phase One site plan amendment. Before you get started, I just want to go over I received a letter on May 11, 1993. Dear Mr. Chairman. We're the homeowners at Windsor Crest condominiums writing of the Town of New Windsor Planning Board in order that we may have Phase One developed to the point that was promised in our prospectus by New Hilltop. Our experience has been completely unsatisfactory and before Phase Two is constructed, we ask that the Planning Board ensure that the following problems are controlled on some sort of scheduled basis which the developer must adhere to and it goes into storm drainage, driveways, lighting retention pond, dust control, miscellaneous, pump station, bus shelter and recycling center which I know you're working on. Those are mentioned and it's respectfully signed Windsor Crest Homeowner's Phase One. That was one letter and I have another one from Mr. William and Virginia Malar (phonetic) who basically is going on the same items again we're appreciating of the board's safeguarding our interest and that was dated May 11 also. So we have people in the audience who are here, we know what the problems are, I don't know if everyone in the audience knows it. This is new manager for the development and we're trying to correct some of these problems from the old management, I guess we want to call it, but we have had a meeting I think which was the last meeting April 14 and we outlined quite a few things that you were going to show us tonight. Why don't we look at where they are going to show us tonight in Phase One. Also at that meeting we had discussed making Phase One and Phase Two combined and they are anxious to get going and the Planning Board decided that was not a good idea and we would in fact like to see Phase One completed first before doing

any granting of approvals or moving into Phase Two. So that is why the gentlemen are here tonight with the presentation.

MR. WASKEW: I thank you. As I understood it what we were trying to do basically your suggestion, Mr. Petro that we were going to try and get an approval of the amended site plan for Phase One prior to proceeding towards final approval on the site plan for Phase Two. However, some portions or some items that are within the confines of condo number one Phase One, are actually in many ways required by the construction of Phase Two and required for the construction of Phase Two and therefore are part and parcel of that eventual Phase Two construction. However, they are located within the confines of Phase One and many of them principally the water pump station has to be done as an example to even the first C.O. being granted for Phase Two since the purpose is to provide adequate water pressure.

MR. VAN LEEUWEN: Has anything been done to start the pump station yet?

MR. SHAW: No, it just got approved by the Health Department I believe three days ago.

MR. VAN LEEUWEN: Does that have to go to the attorney general?

MR. SHAW: Not the pump station, no, it will be incorporated into the condo offering plan in some shape manner or form but it does not have to be approved by the A.G.'s office.

MR. WASKEW: To clarify there was always a pump station shown or located within Phase One. What we're doing is relocating it and building it in such a way that now the entire complex and Greg correct me if I am wrong everybody in the complex will be hooked into the new pressure system.

MR. SHAW: Correct.

MR. VAN LEEUWEN: Do you have any idea when you are

going to start that because that is the biggest worry everybody has?

MR. WASKEW: We'll start it as soon as we can get an amended site plan for Phase One approved. The first 2 things we want to do is complete the retention basin work and begin work on the pump station there's no question about that.

MR. VAN LEEUWEN: What's the story on the retention basin? I understand some fill was brought in, have you calculated that, Greg?

MR. SHAW: We're in the process of doing that now. The surveyor was on the job not Monday but Tuesday morning, he's completed his field work. I received it this afternoon around 4 o'clock. I'm going to check the volume of the ponds against the storm drainage report that was submitted to the Town about six weeks ago to find out if the ponds are adequate in volume or maybe just the answer is the water has to go up higher in depth. But I'll generate the calculations and they'll be submitted to your engineer and he will review them and if the fill has a detrimental effect on the storm drainage capacity of that pond, we're going to have to change it, all right, but the bottom line is the ponds are going to have to satisfy your engineer, this Planning Board and the Town of New Windsor.

MR. WASKEW: By way of explanation, the reason some fill was brought in is that there was originally a very low swampy area as you all remember, the existing retention pond would be to the north, still looks like it did before we started moving some of the dirt within it. It was so bad and so swampy that we couldn't even access the areas to work on that. What we've done is rebuilt the control structure to the New Windsor Town specifications.

MR. VAN LEEUWEN: That has been done?

MR. WASKEW: That has been done and the water is now channeled in the bottom of the retention basin. My guess is that the channel maybe averages a foot and a half in width. The proposal is to continually keep

that channel of water narrow instead of having the wide swampy pond like area. We had discussed preliminarily with Mr. Spignardo and Mark Edsall a way to treat that channel so that there wouldn't even be any exposed water, fill it with shot rock so it looks like a closed channel of water. We're trying to cut down on bugs, we're trying to cut down on noise. We're trying to cut down on the apparent size of the retention basin. However, as Greg said, there's no question that has to meet adequate storage capacity and I think we assume we can do that in any case we have to do it so.

MR. PETRO: Let me ask you about the bus shelter on the bottom I see Mark has already mentioned it in his notes, the zoning, I want to get everyone's input on this, Mark can help me a little bit. It's a bus shelter and to me a bus shelter is still a structure. Does it need Zoning Board for setback? Obviously it's right on the property line. You were going to do a clock tower also in this. I mean, if indeed this bus shelter needs to go to the Zoning Board, I would suggest putting the clock tower on the plan and do them both at the same time.

MR. SHAW: Our initial discussions with Mark that there was differentiation there between the bus shelter and the clock tower. The bus shelter we have, you had as a municipal improvement but not only for the benefit of Windsor Crest but also people in the Town of New Windsor perfect example the subdivision across the street, they would take advantage of it so it would be more of a municipal improvement than it would be a privately owned entity.

MR. PETRO: Who would maintain it?

MR. WASKEW: I think that the Windsor Crest community would probably want to maintain it and would agree to maintain it however it would be built for the Town as municipal improvement.

MR. SHAW: Treated similar as the sidewalk and curbs again who is going to maintain that I believe an agreement is going to be worked out with Windsor Crest for the maintenance. Then improvement separate and

distant from the clock tower which is going to be a structure which is not going to be a municipal improvement which we're more than likely going to have to get approval from the Zoning Board of Appeals once it gets located and rather not encumber the process of approving this site plan, we thought it would be appropriate to leave it off where this could get approved on its own and go to the Zoning Board of Appeals for that.

MR. PETRO: If indeed understand what you're saying if the bus shelter did have to go to the Zoning Board the other one should be put on. I'm asking for input.

MR. VAN LEEUWEN: I'm thinking the same thing you have.

MR. PETRO: Mark or Mike you have to give us some input with this.

MR. EDSALL: Obviously Greg's information he gave in the presentation is based on a discussion we've had already. I don't believe that the bus shelter is something that the Planning Board should as a matter of normal course, act on approval. Because I look at it as being a highway improvement notwithstanding this is on one side of the property line and the sidewalks are on the other side. I would believe that when the sidewalk issue is before the Town Board for formal approval, that they should as well consider the shelter and then when the agreement is reached for maintenance that it all be part of one package. The DOT requires that the Town Board approve sidewalks in the right-of-way and that is the only basis that the DOT will allow their installation so that is a Town Board issue and we can handle that. I was just speaking to Mr. Spignardo about that, we can offer that as a package and at that point if it is a quasi-municipal improvement, it's my opinion that it would not be subject to zoning setback. If the Town Board is not willing to consider highway improvement in a quasi-municipal roadway improvement, I think it's a structure and I think they've got a problem. I don't think we can answer it tonight, the Town Board has got to tell us.

MR. WASKEW: The other, just in general to review the other major items that are part of this amendment are the location of the recycling center at the extreme southern end of the parking lot between buildings 1 and 2, a change in the footprint of building number 6 which is the only foundation not yet begun, the footprint is actually slightly reduced but fundamentally, it's about the same as it was. It's in the same location and some change in the way the internal sidewalks are done. They are much organic that is to say and there's a variation in the way sidewalks are handled.

MR. PETRO: There's no less sidewalks just shaped a little bit differently.

MR. WASKEW: There are more. What we've done is kind of internal pedestrian way that can be used for walking bicycling, jogging.

MR. PETRO: Mike, I want to get back to this letter because I don't want to make light of it in any way and I want to go over a few of these, some of these problems we've already touched on. Obviously these people live there and they know more of the problems than we do when we ride by so storm drainage I just want to take five, ten minutes and go over this. Water problems, evidently some water problems. Catch basin maintenance required, water intrusion in foundations, are you aware of any of that?

MR. WASKEW: There's some or has been some water intrusion in foundations, we're working to alleviate that and in many cases, it's going to get improved as we go along what we're doing is picking up water further up the hill. There's some sub-surface water that we're directing in french drains and put into the drainage system. There are some now exposed drainage ditches which are there to keep the water on the upper part of the site from going down into the lower part of the site.

MR. PETRO: When Phase Two is built out there's going to be less water.

MR. WASKEW: I think it will be completely controlled

and I'm promising on the part of the developer that part of building Phase Two is controlling all of the surface drainage including picking it up and putting it into the storm system where appropriate. I think to a great degree you said intrusion into basements to a great degree those problems have been solved. If there's some that still aren't, I can assure the Planning Board we're working on them.

MR. PETRO: Leaders and gutters discharging to be controlled.

MR. WASKEW: We've discussed that. I'll just if I can just say that the homeowners and I had a meeting on Monday evening and we discussed a great many of these issues and some promises were made to the homeowners, I'll reiterate them for the Planning Board.

MR. PETRO: For the minutes also.

MR. WASKEW: There are some leaders that places where the leaders are discharging water too close to the buildings that will be remedied. The water will be discharged further away.

MR. PETRO: Water undermining driveways and plantings in front of units 27 and 28.

MR. WASKEW: There's apparently some kind of water although it has not been visible the last couple of days between units 27 and 28. I believe the schedule is to begin, we've located the existing utilities in that area, the schedule is to begin excavation in that area before the end of this week and by the end of next week, assuming there's nothing going on here remedying that problem.

MR. PETRO: Driveway openings to be cut back, driveway grades pitch to be corrected.

MR. WASKEW: That will done although we haven't decided how we're going to refine the curb openings, some are too narrow, there are a couple of driveways that are flat.

MR. PETRO: I think on the site visit that we did do, we noticed some of the driveway curb cuts were basically sawed off at 90 degree angles, maybe they can be flared back.

MR. WASKEW: They were flared back and in some cases, they weren't flared back properly. They'll be corrected for the record.

MR. PETRO: To be completed in Phase One improve transition from the north road into all driveways.

MR. WASKEW: Yes, that certainly will happen when we finish this top coat paving in this area.

MR. PETRO: Just binder there now?

MR. WASKEW: Yes.

MR. PETRO: Lighting on both entrances to be developed and lighting around the clubhouse and tennis courts.

MR. WASKEW: It's part of the general proposal though it's not shown on the plans to modify the site lighting at Windsor Crest. In any case we want a lower scale of the lighting, we talked at the last meeting about trying to minimize the whole scale of the project and we're going to have low level lighting at both entrances. There's some landscaping now at both entrances, that landscaping will be lit and several other areas will be lit.

MR. PETRO: You do not have a lighting plan.

MR. WASKEW: We don't have a final light plan for Phase One, no.

MR. PETRO: It's not required Mark?

MR. EDSALL: The board at that point hadn't required a full plan, what you do for Phase Two is open at this point.

MR. PETRO: There's a perfect example that there's not enough lighting and they are saying that their builders

are going to the put it in there but how do we regulate it if it is there?

MR. WASKEW: If I can just say one thing. I've had some conversations with the homeowners and there are some here tonight, correct me if I am not relating this accurately, the situation is that there appears to be plenty of lighting on the site. The problem exists at the entrances, highlighting the entrances, lighting the access ways and if anything, maybe even lowering some of the lighting intensity in the upper part of the site. As I said humanizing it, if I am being incorrect, please say so but I think I'm relating it accurately.

MR. PETRO: I understand that you'd like to have something, just state again for the minutes what you intend to do for the lighting.

MR. WASKEW: For the record, we plan to have adequate streetlighting throughout the phase. We plan to light both entrances on the highways, which is the problem that they are exhibiting and we plan to have low level highlighting that highlight some of the landscaping features. There's been some landscaping done in this corner within the last week and as that landscaping start to take hold we'll be installing low level lighting for those areas too.

MR. PETRO: I'm going to skip retention pond because I want to come back to that. Landscaping I have been working on and that is very obvious as completed overall landscaping removal of dead shrubs and trees, removal of hemlocks and plantings of white pine trees. Are you familiar with that?

MR. WASKEW: Yeah, there's a berm of mixed white pines and hemlocks on the downhill side of units 15 through 20, there are some trees there that are perhaps less nice than they could be and they'll be replaced with nicer trees but that berm planting I didn't think is the issue unless I'm misunderstanding.

MR. PETRO: We'll come back, retention will be the last thing. Dust control and cleaning of all the roads on

an ongoing basis, road cuts of north road to be repaired and road to be surfaced pending final construction. I guess while you are building there you're having a lot dust problems.

MR. WASKEW: There was regular dust coming down the hill just recently we put in a cleaning pad at the break line between Phase Two and Phase One.

MR. PETRO: Shale there.

MR. WASKEW: We put a great deal of rock probably a foot and a half of stone changing dimension and just recently this road that has been swept probably today, we've also scheduled regular road cleaning on these access roads, I think it is a bi-weekly sweeping that will be done whatever other dust control, calcium chloride, whatever is required will be done. We understand the dust problem.

MR. PETRO: Completion of sprinkler system to working order. Blame was placed on inadequate water pressure by new Hilltop, is that the reason?

MR. WASKEW: It is. The lower water pressure makes it difficult for some of the sprinkler heads to rise. I think we'll be able to locally increase the pressure and make the sprinklers work little by little. It's improving just today, to be honest with you, I was playing with and adjusting the sprinklers on the existing portion of the site. All of this will be done at least to our satisfaction as to the resident's.

MR. PETRO: Pumping station is not not going to come on line until Phase Two is in operation?

MR. WASKEW: Yeah or as part and parcel of Phase One.

MR. PETRO: You can't get anymore water pressure from the pumping station at this time?

MR. WASKEW: Well, I mean, we'll make the sprinkler systems work as well as they possibly can, there may be some way to locally pressurize the sprinkler system lines, if we can do that, we will.

MR. VAN LEEUWEN: Why can't we get the pump station working before we give approval to Phase Two?

MR. WASKEW: Because there's so many other things that need to be done together, I think it's kind of ineffective to do just the pump station. I think if there's a concern, Mr. Van Leeuwen, it seems to me again it seems to me that you are really very secure since the whole purpose of building the pumping station in Phase Two is to sell Phase Two and you can't even pass title to the first unit in Phase Two without an operational pump station, I mean seems like that is about as safe a guarantee as the Town can have.

MR. VAN LEEUWEN: What you're saying to us is you're not going to ask for a C.O. on any building in Phase Two until that pump, until all these people have proper water pressure, is that correct?

MR. WASKEW: That is correct, for the record.

MR. SHAW: That pump station--

MR. VAN LEEUWEN: That is what I am looking for.

MR. SHAW: There's a pretty big ticket item it's going to be \$150,000, okay.

MR. VAN LEEUWEN: I know that but these people have got to have adequate water pressure when you turn the faucet on.

MR. PETRO: Exterior foundation work to be completed and straightening of all utility pedestals.

MR. WASKEW: For the record, that will be done. We have talked about how to handle the exterior foundation work. We're going to do it with a stucco type.

MR. PETRO: Exposed concrete basements.

MR. WASKEW: Yes.

MR. VAN LEEUWEN: Going to do them all?

MR. WASKEW: Going to do them all.

MR. VAN LEEUWEN: That is the trouble with poured foundation, once you pour foundation, you can never have it where it looks real good.

MR. PETRO: Recycling center Mark had one comment just want to touch on this quickly. I see that is over the parking lot off Road A down here, the parking lot was built for parking of vehicles now you're going to have heavy duty trucks going into that parking lot. If I remember correctly, maybe 2 1/2, three inches of blacktop in there total.

MR. WASKEW: I don't know if that is true or not, it may well be true. However, this is always where the dumpsters were located and the garbage trucks have always backed down the road and unloaded the dumpsters and what we're trying to do is encapsulate them.

MR. VAN LEEUWEN: If the road gives us a problem, you're going to have to fix it.

MR. WASKEW: That seems to be the correct answer.

MR. VAN LEEUWEN: There's no saying the road is not going to be fixed. It's going to have to be fixed.

MR. PETRO: You're not increasing the traffic.

MR. WASKEW: We're just consolidating gargage and closing it, very similar to the way these kind of recycling centers were built up at Washington Green.

MR. VAN LEEUWEN: Which was a nice job.

MR. PETRO: I want to go to the retention pond, mosquito and insect control on existing bodies of water and catch basins you talked earlier about doing something about the insects and the bugs down at the retention ponds.

MR. WASKEW: We think that we can help control it to a great degree in two ways. One is to channel the water and even in channeling the water to fill that channel

with shot rock, large pieces of riprap type rock we talked about a polyethylene or some other kind of plastic film under it to prevent weeds from growing. Mark suggested different sources and we'll take his advice. That is one level of doing it. The trees that we planted up on that level will be cut down and whatever ponding water and whatever sub-surface water there is in the detention pond area and keep it dry. And also whatever vegetation we plan to plant in here will keep this area dry, that is probably the best way.

MR. PETRO: Retention pond should not be holding water in the first place.

MR. WASKEW: That is correct and part of the reason this pond was re-shaped in this way was to keep this channel rather than a flat area also not really all that much pitch front to back or left to right in the original design. Although it maximizes the volume so the point now is to control the water flow in a very narrow area and that is probably the best way of controlling.

MR. PETRO: You had talked about Mark you said that the retention ponds being that there was some fill in and they are going to hold in water to the capacity that they are designed to so as far as the fill is concerned, I guess that has been answered. I had asked you about the plantings that you were doing there last meeting which happen to be weeping willow trees and your answer I said they were very messy and your answer was that they do soak up and take a lot of water out of the ground.

MR. WASKEW: Yes, they do and that is really why I really want to do them. As a practical matter, we excavated to plant some trees in the southern end of this plateau and if you go there, those holes are still open because we stopped work, you'll find that they are filled with water. There is that much sub-surface water. I think the trees will help a lot. I understand it's creating a potential maintenance problem in the pond but I think that I feel although I'll certainly take the Planning Board's opinion that these trees the good those trees do will outweigh the

maintenance problem they create initially they grow quickly, they'll help to cut down on the height of the structure and from the homeowner's point of view internally, the highway noise will be gratefully baffled by those trees.

MR. PETRO: Have you heard from the homeowner's about the weeping willow trees and their opinion of it?

MR. WASKEW: I've spoken to them. I don't recall any particular negative commentary.

MR. PETRO: Anybody from the board want to speak about the trees?

MR. VAN LEEUWEN: The only thing is we're really worried about the limbs and everything. I've got one home and I know what it is like, might clog up the outlet control.

MR. WASKEW: Well, I think there's probably a way that we can prevent that. There's some kind of screening that we can put on that debris, we'd need to control the debris that comes down there.

MR. EDSALL: It just blocks it easier then.

MR. WASKEW: Well, I mean we can certainly discuss other options.

MR. PETRO: This is a good time to do it.

MR. WASKEW: I feel strongly it's the right tree for the place but.

MR. DUBALDI: You're not going to be able to rake those leaves. I had 2 big trees in my back yard and I took them out so I don't know how you're going to maintain them.

MR. PETRO: How many trees did you plant there?

MR. WASKEW: Probably 16 or so. There's more.

MR. SPIGNARDO: I haven't counted them.

MR. WASKEW: I think are there's about 18. The root structure I think is part of the advantageous part, it's not like there's a well that it is going to infiltrate, it's just ground water that it is going to keep down.

MR. VAN LEEUWEN: They like septic systems. They'll grow roots right inside.

MR. SPIGNARDO: If I may say shallow rooted tree plus the fact that they are already planted, they are towards the top of the retention pond, now water is going to flow out of there pretty regularly. You're not going to have much water in there where the tree is going to be able to suck any water from the retention pond. So I don't see where the benefit is going to be. We all know what a mess one of those trees, they are gigantic, they grow very very large. What a mess one of them create and you're going to have 16 of them there. Personally, I think down the road it's going to be one heck of maintenance problem.

MR. PETRO: Have you talked with any of the homeowners at all?

MR. SPIGNARDO: No.

MR. VAN LEEUWEN: Why don't you get together with the homeowners and see what they think.

MR. WASKEW: If the type of tree is a real problem and the maintenance is a problem what we can do is search for a different tree that is also fast growing and does some of the same things.

MR. PETRO: You can you utilize these in some places on the site. I don't think you have to cut them up and throw them away. That pretty much goes over the list that I have from the homeowners. Any other board members have any questions?

MR. VAN LEEUWEN: No, I don't have any. Did you start this 11 to 14, did you start the foundation on that one yet?

MR. PETRO: No, they changed the footprint.

MR. WASKEW: The only foundation that hasn't been started is 11 to 14 so we're amending the footprint of that building.

MR. BABCOCK: We've issued a permit on that to start.

MR. PETRO: We told him at the last meeting to change, the change of the footprint was so minor in nature that the Planning Board didn't have a problem with it. Mark any of your comments you want to touch upon?

MR. EDSALL: I think just to verify that you are aware some of the improvements shown here are proposed for Phase Two or a part of Phase Two namely the bus shelter, the sidewalk along the DOT roadway obviously the pump station as they have indicated and as well the recycling center, I believe that is all of the proposed Phase Two improvements. So just so you're aware those are not part of the Phase One although they are located in Phase One. Secondly, I would suggest that until the issue of the plantings and until the issue of the retention basin capacity is resolved, I would think that it would be counterproductive to continue working in that basin. You're not sure of the calculations. Are you doing that for the capacity of the catch basins, Greg?

MR. SHAW: Yes.

MR. PETRO: How far along are you with that?

MR. SHAW: Seeing that I got the information from the surveyor this afternoon at 4 o'clock, not that far.

MR. EDSALL: The bottom line is we have had too many cases where the cart was so far in front of the horse the horse couldn't see it and this is one of them. We've got landscaping going in that I hear no one's really sure if it is the right place. We've got a basin being filled when we don't know if there's sufficient capacity left and it makes my job very difficult and I'm sure Mike's because we're effectively

out there to attempt to require compliance with the site plan but that this board hasn't even approved yet and the calculations don't support and I'll be honest with you, I don't see any difference with this particular instance as what we dealt with for the last year and a half and it makes it very difficult for me to monitor compliance for this board.

MR. VAN LEEUWEN: Just hold on the retention basin until Mark reports with the findings. When you get done with your findings, give them to Mark, let Mark review them and review them with Jim, see that it is okay and between Jim and Mark they can work that out whether you can continue or whether to do something else.

MR. SHAW: That is probably wise. Mike mentioned it and I think maybe I just want to touch on again we're kind kind of weighing scales at one hand you're reading a letter from the homeowners, get rid of the silt, get rid of the standing water, get rid of the cat tails and get rid of the mosquitos. How do you do that, make sure you have enough pitch to drain the water. To do that you bring in the fill and that is exactly what we did. And this pond now does not have standing water in it except the little stream nor does it have any vegetation or mosquitos but it does have fill. Now Mark brought up a very good point is there too much fill, is the integrity of the pond compromised. Hopefully we'll come back and say no it is not compromised or yes it is and this is how we're going to mitigate it but the work that was done on the ponds was done in good faith because we promised the board that we were going to straighten out the ponds and the homeowners are concerned about the mosquitos, vegetation, et cetera and that is the only way to get rid of it is to take the pond, fill it and drain the water.

MR. PETRO: Maybe because you bought the fill in maybe you have to raise the retention pond all the way around the rim. Just by saying we had to do that to make it work doesn't mean that the retention pond is still the right size.

MR. SHAW: I just want to let you know that it was done in good faith to try and correct the problems.

MR. PETRO: You are here for the approval of the amended site plan I see two major problems at this time which until we have the capacity for the retention ponds how can we improve something if you don't know if it is going to work? So I just don't see, I think you can talk about the weeping willows with the homeowners, go over the checklist. I think everything else is in order. We've resolved the bus shelter pretty much, the change of footprint on the other buildings, I don't see anything else. Does anyone else have anything to add other than the--

MR. VAN LEEUWEN: We told him to go ahead and put up from 11 to 14 building, we have no problem with that but you know we have certain responsibilities we have to make sure that it is right.

MR. WASKEW: Can I request to be back on the agenda as soon as possible?

MR. PETRO: How does next meeting sound, is that pretty good?

MR. WASKEW: Which sounds good. When is the next meeting?

MR. VAN LEEUWEN: Two weeks.

MR. PETRO: Just got to get the data together, once you and the engineer and myself will look at that and make sure the retention ponds are working and just give us a little memo about the trees.

MR. SHAW: So those are the only two issues on the table?

MR. PETRO: I'm one member, anybody else see anything else? We have it in the minutes about the, we'll go over that again, the pumping station will be on line for the water pressure before any C.O. is issued in Phase Two.

May 12, 1993

30

MR. WASKEW: For the record, yes and as long as you're mentioning Phase Two at the next meeting when we come back, I'd like to request that we start reviewing Phase Two application or at least perhaps getting it to the Orange County Planning Department.

MR. PETRO: I'll say this if you come back if you want to make two applications for next meeting, that is fine with me. One to finish Phase One and one for Phase Two I think we're far enough along if you have all the data together we have already looked at it in workshop. I think it's purely mechanical so we can look at Phase Two.

MR. VAN LEEUWEN: Keep working, Mike.

MR. WASKEW: Thank you.

APRIL 28, 1993

61

WINDSOR CREST - DISCUSSION 93-17

MR. PETRO: Greg?

MR. SHAW: I'm going to defer to Mr. Waskew.

MR. PETRO: Under discussion only. I ask you just explain the reason you're here for all the Board members?

MR. WASKEW: We're here because we'd like to begin the process of final approval for phase two of Windsor Crest which for the record is 103 units added on to the original approval of 46 housing units for a total of 49. There were some outstanding issues in the phase one 46 unit development. All of which we think are now completed for about, or about to be completed. If they are not completed it's because of circumstances beyond our control. On top of that we have submitted or actually Mr. Shaw has submitted to the Orange County Board of Health for approval for the water system, I believe, Greg, you should probably give us an update on that.

MR. SHAW: Sure, the last time we were before the Board we talked about the fact that the existing phase one was serviced by the pressure off the transmission on 31. That we were requiring a water booster pump station to take care of station two. We also discussed at length the concerns that the Board had for increasing the pressure in phase one. You asked us to look at it and to possibly service phase one also with the water booster pump station, at a substantial cost may I add, because what we've done was reincreased the size of the pump station by 50 percent to include phase one, but it is included. Now, every resident in the project will be serviced by the water booster pump station. The design drawings for this site are complete. We have made a submission to the Health Department not only for the water distribution system of phase two but also for the water pump station. That water pump station originally was scheduled to be at this location. It has now been relocated down by the community building. Again, to service phase one we wanted it to be below. The Board is also aware that the Health Department has been taking a close look at the source of water supply

3 for the Town of New Windsor as they have for the past three years. I talked to Mr. Robins today, the Orange County Department of Health. He informed me of many things. One, he gave me the review comment for my design of the water system for phase two. There are three comments. It's going to take maybe two hours to resolve them and resubmit back to the county. He also notified me the pump station which was done by another consultant also has some miscellaneous comments. Again, I expect that information to be resubmitted back to the County Health Department within a week. He went also on about the letter going out to New Windsor, New Windsor has not received it yet, but they will. How can I use my words carefully, that they concur that New Windsor has enough water at this point in time to service the projects which are present before the Planning Board. Mark, I'm not privy to what was submitted out there, but the impression I got was that part of the documentation was you listed the project before the Board and the flow that was attributable to them and the Health Department is now concurring that yes, New Windsor has enough water to service that project of which this is one of them. So I expect to have final approval from the Health Department for the water system and the pump station, which is a reasonable period of time. We're quite elated with that. That took a good amount of effort and expense to have the entire project serviced by the pump station that we are going to be coming back to this Board with approval shortly.

MR. PETRO: Right. On phase one, do you have an amended site plan coming into phase one?

MR. SHAW: Yes.

MR. WASKEW: What we were hoping to do is to submit a simultaneous phase two with an amended phase one site plan.

MR. PETRO: Under one application?

MR. WASKEW: Under one application. The drawings that Greg Shaw's office prepared, including the changes to both phases, are rather substantial. I thought that, however, for review, we have isolated out what is happening in phase one as far as amendments. We

would, if at all possible, like to proceed ahead with these amendments, almost immediately in phase one and with the Board's concurrence.

MR. PETRO: Mike, why don't we make a separate application for phase one? To me it was, everything was very minor in nature. You will be on the next meeting. I don't think anyone in the Board is going to have a problem with it. Because everything was, it was very minor in nature from what I understand. We can put it to bed. Then phase two comes in, Mark can review that and we'll proceed from there. We should have it under two applications, housekeeping on phase one and move on to phase two.

MR. WASKEW: I don't have a problem with that, Jim, if you'd like to do it that way.

MR. PETRO: We can still look at this tonight. There is minor things. As long as you make an application tomorrow with Myra, you come in, we will do it formally at a meeting. I don't have a problem with that. I don't know if any of the members --

MR. LANDER: I would rather do it that way.

MR. WASKEW: Phase one, this drawing essentially covers what we would like to do to amend phase one. Greg already alluded to the fact that we relocated a pump station from just west of the community building to east of the community building. It's essentially the entrance to the site. The building will not only be the new pump station, but we'd like it to be an outdoor pavilion which we expect to service the main post office for the site. At the moment they are oddly placed mailboxes that people go to. We'd like to have that as a gathering place. We'd like to add a bus shelter which will be used by the residents and the children that live both in Windsor Crest and in the surrounding area. We'd like to be able to get the kids to be able to get on and off the bus safely. There is a recycling center that we'd like to propose in phase one which is between the first two buildings that were built. Actually it's over at the corner of the site and it will get tucked into a rock wall, very similar kind of recycling centers that were built over at Washington Green. There are a few changes to the

4 sidewalks and walkways.' Essentially what we are doing is beginning a network of pedestrian ways within the site, landscaped pedestrian walkways which can be used for, to get people around, need to get from place to place and as a recreational, as part of the recreation that we want on the site. Some of it we can look at that a little better when we see the whole site plan including phase one and phase two. We have included a sidewalk along Route 32. The sidewalk that kind of, there is a lot of meandering that happens. There is a series of loops and interconnections in the sidewalk systems. We want to be able to jog and walk through that area. The detention basin itself, this may have to take a little time. If I go too fast tell me, I tend to talk very quickly. We are trying to sculpt the detention basin to clean it up and make it look more attractive. In order to do that we have done some preliminary work already. There's some forsythia plant along the highway. I don't know if any of you had an opportunity to drive by and see it.

MR. PETRO: I seen it.

MR. WASKEW: That edging is also going to be included on the northern detention basin. Additionally within the detention basin we have created a couple of terrace levels about, we want to create a couple of terrace levels. This section kind of graphically and freely and loosely indicates what we're trying to do. There is an existing berm which we are leaving alone. There is an existing water capacity level inside the basin which we're leaving alone. We're channelizing the water flow in the center of the detention basin so it doesn't really act kind of like a swamp which is what it appeared to be. There is a new control structure being installed at the north end of the swamp. That's part of a study that Mr. Shaw's office did for the drainage of the entire site. That study has been submitted to Mark Edsall. I don't know if he has had a chance to review it yet. But it also includes, you're probably better telling them about this than I am, it includes what will be the new proposals for detention control within the Town of New Windsor. In other words, we are retaining the five year, ten, 50 year and 100 year floods.

MR. SHAW: Five, ten and a 25 year flood.

MR. WASKEW: 25 year flood. So that we hope will help alleviate some of the downstream drainage problems. There's other downstream drainage work that needs to be done and we've done a site visit about that. We are beginning to address that as well. Continuing on the detention basin, within the detention basin the nature of what we're doing is going to create two terraces within it. We'd like to landscape both terraces. The upper terrace, the western terrace we want to landscape with trees. Large trees. I'm still leaning to those trees being willows. Just because I think they'll grow quickly and keep the detention basin dry. However, we'd also like as part of that to relocate the fencing, the upper fencing that's on the upper side of the detention basin. I'd like to make it less visible. I'd like to make it less visible in all areas. I think by dropping the fencing down to the terraced areas, in other words, we will really be enclosing a somewhat smaller area with the fence. The landscaping will act as an initial barrier to children or certainly a visual barrier. The actual safety of somebody falling into the pond, possible danger of somebody falling into a full detention pond as unlikely as that is, the fence will still be there. It will be down on the lower level and isolated from you, from both directions by landscaping. Trees in one case, forsythia, junipers and pines.

MR. PETRO: What about the clock tower? You were going to put a clock tower somewhere.

MR. WASKEW: We're going to put a clock tower here as part of signage for the site. In order, candidly, we believe this is going to take a zoning variance that clock tower because it's going to be a sign that's bigger than the Town -- effectively we think it's going to have to be treated as a sign that's larger than the Town ordinance allows so we've left it off the site plan, being quite candid about that. We think what we will do is come in and request the sign as a separate application. I'm sure that the Planning Board will have to deny it.

(Carl Schiefer enters the room)

MR. WASKEW: The other major thing we're doing, we are changing the footprint of so-called building six,

building 106. It was always a four unit building. It was originally a four unit building of flats, flat apartment type homes. Similar to the first building that was built. What we've asked to do is to convert that into four, still four units but four town home without garage units that occupies essentially the same footprint. Actually smaller in most dimensions. It's as simple as that. I've shown you the elevations of the building. That building is before the building department. I have submitted a set of plans for approval. I don't know if you had a chance to look at it.

MR. BABCOCK: I haven't. Frank has. We don't have any problem with it.

MR. WASKEW: So that's that. It also encompasses some changes in the way the sidewalks work around this building. This building will be entered, two of the units will be entered from the front and two of them will be entered from the side. There are two different town house types within this building. This is going to be one of the two major building product types that will be part of phase two. If we get a chance today and I hope we will, we'll show you how that fits into the next phase. There's a lot of additional landscaping. Actually all this landscaping will be done certainly before the next time we get here. A good portion of this was done today. The bulk of it will be done by the end of the week. There is some berming we are proposing in front of this flat building which is under construction. The framer should be starting on it certainly tomorrow, Monday at the latest. I don't know that there are any other major changes in phase one. Reviewing them there is a recycling center, bus shelter, a relocated and enlarged pump station, a new building footprint, although which doesn't exceed the previous footprint and some changes in the pedestrian patterns and some changes in the way the landscaping is treated and some changes in the detention basin, both how its landscaped and the locations of the fence and the way the control structure works.

MR. PETRO: Once again for the Board this is only under discussion. He will be here hopefully with the next meeting with an application for an amended site

plan on phase one so we can get it done properly. Then from there we'll look at phase two.

MR. VAN LEEUWEN: That pump station is going to increase all the water pressure?

MR. PETRO: Correct.

MR. WASKEW: The entire site, correct. All of the dwelling units on the site will now be, Greg can expound on that, but the answer is yes.

MR. PETRO: He went over that a little bit earlier. What do you want to show us on phase two?

MR. WASKEW: I will show you phase two. I think conceptually the Board has seen phase two before and what it really, what it really means is the completed project. Much of it stays the same. The major road, although there has been some changes in its actual location, it's effectively the same road. The changes have been minor. What we have done is relocate all of the utilities into the roadways. The reason for doing that is to try to retain what little bit of natural vegetation there is up on the site. This is really the graphics of this plan are meant to show a few things. The dark green areas are retained tree stands. What we can, by relocating this site into this configuration, similar to what it was before, we can save some substantial tree stands, including one right at the edge of the phase one and phase two. I think part of the problem with this phase was that we cleared all the existing vegetation.

MR. VAN LEEUWEN: That was cleared before you guys got involved.

MR. WASKEW: It was cleared before.

MR. PETRO: You got to keep an eye on the guys with the bulldozers.

MR. WASKEW: They cleared out soft brush. However, they haven't taken down any trees. They did take some brush down. We hope that the surveyor will locate these points a little better and the bulldozer operator will be somewhat more careful about what he

is doing. As I said earlier the phase two consists of 103 housing units. Initially we think that there are going to be largely two housing types. There will be no longer any so-called apartment flats. They will all be either Town homes without garages which are the reddish viewed buildings. Town houses with garages which are the sort of taupe and beige viewed buildings. That's the reason I colored it. The buildings themselves have been changed somewhat to allow the design in the finalized stages. What we'd like to do is get away from as many individualized driveways. We are using some common driveways into the building. I think as well as reducing an actual amount of blacktop. It reduces an apparent amount of blacktop. That's, by the way, one of the thrusts of the project, we want to reduce the amount of impervious surface. Reduce the amount of blacktop we put on the project. Maximize the amount of green space that's both left and eventually reconstructed. We also wanted to reduce the amount of earth moving that happened on the site. I think Greg has gone through a great deal of effort to do that. We've changed some parking configurations. This is an unusual detail, I will go back to it in a larger scale. It shows the sidewalk that appears to go through the parking lot rather than along the edge of it. I'd like to talk to the Board about that. We'd run sidewalks as part of the phase one, actually like to run a sidewalk as the edge of the driving lane as far as the automobiles to drive over that walkway and park. I think visually that reduces the size of the road and that scaled reduction makes this whole site feel a little more human. I think that's part of what the site desperately needed was a humanizing of everything about it, the whole sense of the site. There are some nice large boulders up on the top of the hill and lots and lots of existing piping and curbing and foundations. We've tried to put the buildings with garages in the areas where we expect to be finding previous development, previous foundations and will have to be excavating down.

MR. PETRO: Foundations from what?

MR. WASKEW: Prior, the old houses that were here.

MR. VAN LEEUWEN: Mostly to the right side.

MR. WASKEW: I think briefly that's the essence of the project. What I'd like to do is start the review process with the Board. If we have time today there's kind of a major consideration for us and that is what the roads are like. We think there are four different types of roads on this site. I don't know if I want to -- yeah, let's go into that briefly. We think there is a main road, a loop road, kind of like what national standards would call a collector road.

MR. PETRO: Let me put in right here, you're going into this now because you want to know the road detail?

MR. WASKEW: We'd like to know which direction to go in.

MR. PETRO: You're going to have each, in other words, the parking lot is going to be X inches, main road is going to be X inches, everything else is going to be in the middle, that's the reason for coming up with four separate ideas of what a road is?

MR. WASKEW: Yes, pretty much. That's the direction we're heading. There is a dead end parking road. There is a collector road. There's a through service road. The fourth road we think is just we call just a drive. In order to eliminate a great deal of earth moving and construction of whatever, a little bit of, you know, in order to maximize saving as many trees as we could in this area, we put in a third, there wasn't originally a road crossing here, a third crossing road. This third crossing road specifically services twelve housing units. It's meant only to service the driveways of these two twelve housing units. We don't think that it's, we would rather not build this as a wide highway. We certainly want traffic to be able to get through safely and comfortably. We certainly want emergency vehicles to get through it safely and comfortably. But I think 20 feet is probably an adequate road for that. The main road is 30 feet. Parking service roads are 24 feet now.

MR. VAN LEEUWEN: What kind of treatment do you want to put on there?

MR. WASKEW: I think we want to treat it about the way

APRIL 28, 1993

70

we treat these parking roads. You mean as far as paving?

MR. VAN LEEUWEN: Yes.

MR. WASKEW: The same way as we treat --

MR. VAN LEEUWEN: Four inches and two inches?

MR. SHAW: Maybe that would be an appropriate time. Four roads, let's get the easiest one out of the way. The loop road is going to be 30 feet wide. It's going to have two inches of topping, four inches of binder, eight inches of running bank gravel, Town spec.

MR. VAN LEEUWEN: The front part of that road is no Town spec.

MR. WASKEW: Correct.

MR. VAN LEEUWEN: What are you going to do there, Mike, in phase one?

MR. WASKEW: We did, we'll take that aside. This portion of the road we did take core. There is adequate asphalt here. There are really only two ways, is, one to rip the road out and replace it. The other one try to coordinate with the D.O.T., who I understand is improving Route 32, and adding substantial thickness to Route 32. Should that happen that would solve our problem for us because it would allow us to add enough additional pavement on top of here. We'd have to raise the catch basin, adjust the flow. We would have enough elevation to be able to add.

MR. DUBALDI: What about curbs?

MR. WASKEW: Well, I think there would be here, actually.

MR. LANDER: I hope it comes a little faster than the height variance that the Town of New Windsor has been trying to get passed for three years. If we wait for that --

MR. WASKEW: If it doesn't happen then what I suggest

we do, we're using this as a service road for the construction now. What I suggest we do is continue to use this as a service road for construction vehicles. As we stop using this we'll have to rip all this section out and replace it. I mean there's no question that the road is going to have to meet Town specs.

MR. PETRO: Mike, let's get onto those, Greg, on those cross roads.

MR. SHAW: We're all clear road A is going to be Town specs. Let's talk about the first cross road in section two which is road, designated as road C.

MR. LANDER: Can I just interrupt? How many different pavement types do we have in phase one?

MR. SHAW: How many different pavement types? I think there was three. Don't get confused by the four different pavement types because it doesn't deal with the composition. It also deals with the width. So let's go through and then we'll go back to your questions. Again, 30 feet wide Town road specs. Let's talk about road C. Road C we are proposing to be 24 feet wide but Town road composition, two inches of top, four inches of binder, eight inches of running bank, 24 feet wide. Six feet narrower than road A. Again, this is what we are proposing. I'm sure we'll get feedback. In the parking areas that are outside road C we are proposing that they consist of an inch of top, two inches of binder and six inches of running bank. Again, a different composition than the parking area than what is in road C. That is consistent with what the Board has accepted, what I understand the Board has accepted in phase one.

MR. PETRO: I think that's also consistent with what we have been asking for parking lots right, Ron? One inch top, two inches of binder?

MR. LANDER: Yes.

MR. SHAW: Again, 24 feet Town road spec as far as composition. Let's move up to drive D. That composition is, that width is going to be 20 feet, that's our proposal. We'd also like to have this

treated as a parking area. One inch of top, two inches of binder, six inches of running bank.

MR. PETRO: We ran through this on road B in phase one. That was, I mean no one agreed with that.

MR. SHAW: I agree. But I think the Board would have to at least entertain the thought that this drive which is only servicing these units is substantially different than a connector road. My point is if somebody wants to travel from here to here it's just as easy to go around this loop as it is to meander through this drive.

MR. VAN LEEUWEN: They are going to meander through that drive.

8 MR. WASKEW: I think if they lived there they will. I think if we make it, I think you understand that what we're trying to do is constantly reduce the apparent paved surface and try to increase the feeling that this is much more of a country residence rather than a very urbanized residence.

MR. PETRO: You said it was 20 feet on that road.

MR. SHAW: 20 feet, 24 feet and 30 feet. We might as well finish up the last road type which are the spurs going off to these units running in a north south direction. We are proposing that that pavement be 24 feet wide. That the pavement be treated as a parking area which is one, two and six inches of running bank. The parking areas also would be consistent with the pavement of the aisle ways.

MR. PETRO: I'm going to speak only for myself. That roadway that you say are 20 feet, one inch of top, you want to treat it as a parking lot?

MR. SHAW: This?

MR. PETRO: I would just suggest keeping it as the other cross road. You are already doing the other parking areas at 24 feet and your six inches.

MR. VAN LEEUWEN: He's greed to do the same thing as he did on the 30 foot road. Treat it the same way.

APRIL 28, 1993

73

Two and four.

MR. PETRO: Two and four on the parking area roads.

MR. VAN LEEUWEN: No, no, I don't like that. I don't mind the parking lots. Any road I want to see two plus four.

MR. PETRO: That's not what he said.

MR. SHAW: Correct.

MR. VAN LEEUWEN: 20 foot road he said two and four.

MR. WASKEW: No, the park road we think it only services twelve houses.

MR. SHAW: Loop road two and four. Road C nonparking areas two and four. Drive D --

MR. WASKEW: The only thing that's different is drive D.

MR. SHAW: One and two.

MR. PETRO: What I am suggesting, keeping drive C the same as, keep it the same. I don't think anyone would have a problem with that.

MR. SCHIEFER: I tend to agree with what you are saying. The only one is on the spurs. Obviously they are not through. But just that road C, bring that one up.

MR. WASKEW: Can we at least keep it narrower, if it's okay with the fire department? At least like to reduce the apparent width of the road. Not going to be any parking on this road.

MR. SHAW: Built to Town specs, two inches and four inches.

MR. SCHIEFER: Narrower, leave that to the fire department.

MR. SHAW: Narrower, only difference.

APRIL 28, 1993

74

MR. SCHIEFER: Same specs, same base?

MR. SHAW: Correct.

MR. EDSALL: I will be honest with you, if you are willing to, I believe the 24 foot is acceptable as a minimum for regular road and they want to go down to 20 on this. I'd say leave that to the fire department. They may tell you they want the 24 for both. They may agree with 20.

MR. VAN LEEUWEN: They are going to ask for 24 for both.

MR. EDSALL: Keep in mind one of the reasons they are here and asking all these questions we met with them and we couldn't answer them.

MR. PETRO: One inch and two inches.

MR. WASKEW: I would like to get it settled. Whichever way we do it we'll build it that way.

MR. PETRO: As far as the width, see what the fire inspector says.

MR. EDSALL: The Planning Board is willing to go with either size, whatever the fire department says.

MR. SCHIEFER: Width, yes. As long as the base is the same as the Town specs.

MR. SHAW: Just so we understand each other with respect to the width, we will go to the fire department. We will propose 30 feet in width for road A. We will propose 24 feet for road C. We will propose 20 feet for road D and 24 feet for the spurs.

MR. PETRO: Correct.

MR. SCHIEFER: Okay by me.

MR. SHAW: If they determine the width is inadequate it has to get bumped, we'll bump that. If they say it's fine, we can live with the width.

MR. SCHIEFER: Yes.

MR. PETRO: On the spurs, Mark, on all the spurs, you have a 20 foot parking spot and proposing 24 on the spur. When they back out onto the spur do you have to leave enough room for roadway?

MR. EDSALL: 24 is the standard dimension for back out distance for a 90 degree parking.

MR. PETRO: You don't need to have both, roadway and back out space.

MR. EDSALL: Used for both.

MR. SHAW: Let's go back to composition.

MR. LANDER: We had a problem with only one pavement thickness on this project, let alone having numerous ones now. How many do we have?

MR. SHAW: Right now the drawings reflect four.

MR. PETRO: We just talked it to three.

MR. WASKEW: Thickness, we are only talking about two different thickness variations.

MR. SHAW: That's what I said, more variations because of the width.

MR. WASKEW: Parking lot, four inch, road six inch.

MR. VAN LEEUWEN: What kind of a base, six or eight inches?

MR. SHAW: Let's talk about the composition. Road A two inches, four inches of binder, eight inches of running, Town spec. Road C, same, two four and eight. D drive, that's going to be one inch of top, two inches of binder and six inches of running bank.

MR. PETRO: That's what we changed.

MR. SHAW: You want this?

MR. VAN LEEUWEN: Eight inches plus six inches.

MR. SHAW: The spurs? One, three and six. Excuse me,

one, two and six. One inch of top, two inches of --

MR. LANDER: Treating that just like a parking lot.

MR. SHAW: The only road which differs from the Town's composition are these spurs. Everything else D, C and A the composition will be as per Town road spec.

MR. WASKEW: We've also, the only other thing we have changed, you see that the roads are no longer quite as straight as they were. They all have very subtle curves in them.

MR. VAN LEEUWEN: It slows down the speed of traffic.

MR. WASKEW: I think it keeps you from looking straight down the road and seeing the end of it. You see a road curving, you see a tree in front of you rather than an intersection.

MR. PETRO: I think it's important, I think phase one amended site plan should be here first. I think we should get through that before we get started with this.

MR. WASKEW: I think, that would be fine. We'll submit that. I would like to submit phase two if it's okay with the Board to Mark Edsall for review.

MR. VAN LEEUWEN: Let's get phase one done first. Get it done right. Then we'll get into phase two.

MR. WASKEW: I think they are being done. I'm not arguing with you. There is a lot of concurrency that goes on with phase one and phase two. A lot interrelated.

MR. PETRO: Can you get an application in for phase one amended site plan for next meeting and draw it up and the meeting after that if you want to, as long as we get one before the other, so we can get going. I don't think it's a one meeting thing. Of course you would have to go back to Orange County Planning and be subject to their, I don't know about the Attorney General's Office.

MR. EDSALL: We've got some other things we have got

APRIL 28, 1993

77

to talk about as far as how to handle the bus shelter and such. It may not be the next meeting, if we are not able to resolve those. We still have to get together a workshop and talk about those items.

MR. VAN LEEUWEN: One item I want to bring up. About a year ago this Board sat down and said that we're going to take that phase two and split that three ways.

MR. WASKEW: As far as building?

MR. DUBALDI: Didn't we rescind that?

MR. VAN LEEUWEN: No.

MR. SHAW: I believe you did.

MR. VAN LEEUWEN: Then it must have been rescinded when I wasn't here, because I don't remember it. I would remember that.

MR. PETRO: I think we had talked about it but never did it.

MR. BABCOCK: What are we talking about?

MR. VAN LEEUWEN: Split it up in three phases.

MR. EDSALL: You changed that.

MR. DUBALDI: I remember that.

MR. EDSALL: Under duress.

MR. SHAW: One other thing I would like to bring out, too, drainage, downstream drainage. The developer gave a commitment to New Windsor that they would assist in rectifying some problems with drainage, which was east of Windsor Highway, even though we are putting in ponds, not increase our runoff. We were sensitive to certain drainage conditions. There was a field meeting, am I correct?

MR. WASKEW: Correct.

MR. VAN LEEUWEN: I know about that.

MR. PETRO: I do, too..

MR. VAN LEEUWEN: Jim knows about it because we had an unfortunate flood there, too.

MR. PETRO: As long as you address it I think the Board is happy.

MR. SHAW: We will move forward. We want the record to show he is honoring his commitment to the down stream drainage as he said he would.

10

MR. WASKEW: The other thing I would ask to help to expeditiously get through the process at least phase one we have only one and a half buildings to build in phase one. We are clearing the roads. Perhaps we could even ask for permission to cut the roads to grade.

MR. VAN LEEUWEN: Mike, can I ask you something? Do what's right for this Town and we'll do what's right for you and I've told you that before. It's worked.

MR. WASKEW: Thank you, Mr. VanLeeuwen. So can I cut the roads to grade?

MR. VAN LEEUWEN: No, I haven't seen enough improvements in section one yet.

MR. WASKEW: Actually by the time we come here for the next meeting I am sure you'll see those phase one improvements.

MR. PETRO: How about the building you're changing the footprint?

MR. VAN LEEUWEN: Before you bring that in I want to see that.

MR. WASKEW: We'd like to start work on that.

MR. PETRO: That is something I would have no problem with. You can address it at the next meeting as far as the footprint. I know there is no building problems whatsoever.

MR. BABCOCK: I have no objection to that as long as

the Board doesn't have a problem with that. He's changing the footprint on the last building in the phase.

MR. VAN LEEUWEN: I'll tell you, when you did Washington Green I think it helped the project, okay. I talked to some of the people that live in there, they are very happy with that situation.

MR. WASKEW: You really need to be responsive to what's happening to the site. It doesn't always look the same in the real world as it does on paper. I appreciate that

MR. VAN LEEUWEN: You get site one straightened out a little more than what you have done. You have made some improvements and then we will definitely consider site two.

MR. PETRO: At the next meeting we'll look at the roads.

MR. VAN LEEUWEN: Then we will consider making it two sections instead of three sections.

MR. SHAW: To wrap it up, we will get you an amended site plan and application for phase one. What we would ask is that you authorize your engineer to do a technical review of the drawings for phase two just to review because the drawings are complete. We think that's appropriate. Also, to notify the Orange County Department of Planning. That is going to take time, 30 days. We'd like to at least get that ball moving, also.

MR. PETRO: On what phase?

MR. SHAW: On phase two.

MR. VAN LEEUWEN: Greg, I can't agree with you. We have had too many problems with this project.

MR. SHAW: We are only asking to do the review.

MR. VAN LEEUWEN: Let me say something.

MR. WASKEW: Everything that, I think the Planning

APRIL 28, 1993

80

Board, we're not asking the Planning Board to give up any of its procedures or restraints or anything like that. We would just like to expedite the approval process by submitting a completed set of technical drawings by your engineering staff for phase one and phase two, two separate applications.

MR. PETRO: I would suggest this, make a suggestion and then you --

MR. VAN LEEUWEN: You are not going to change my mind.

MR. PETRO: I will make a suggestion. Let me submit it, he can review it. But I don't want to go to the Orange County Planning yet until we look at something on phase one. At least start reviewing and make some headway. Leave Orange County Planning out of it. You can look at it.

MR. EDSALL: There is a lot of information here to review. It's not going to be something that --

MR. PETRO: You can at least look at it. No other outside agencies and we are not going to go any further than that until we have something concrete here for an amended site plan for phase one. How does that sound?

MR. SHAW: Very clear.

MR. WASKEW: I will say one more time phase one and phase two are interrelated as Mark said. A tremendous amount of data to review.

MR. EDSALL: You already have an application pending for phase two. Resubmit plans for that.

MR. SHAW: That's all.

MR. EDSALL: For phase one you need to make a new application for amended.

MR. WASKEW: We will do that tomorrow.

MR. BABCOCK: What is the building number that the footprint changed in phase one?

APRIL 28, 1993

81

MR. WASKEW: 106.

MR. BABCOCK: That's the one you're asking for a permit?

MR. WASKEW: That's correct.

MR. SHAW: 11 through 14.

MR. PETRO: New Windsor Planning Board, Michael has stated that permit can be issued? We've stated that a permit can be issued at this time?

MR. BABCOCK: Right.

MR. PETRO: Thank you Michael.

11

MR. VAN LEEUWEN: I make a motion to adjourn.

MR. DUBALDI: I second.

MR. PETRO: Roll call.

MR. VAN LEEUWEN: Aye.

MR. SCHIEFER: Aye.

MR. DUBALDI: Aye.

MR. LANDER: Aye.

MR. PETRO: Aye.

I, ROBERTA O'ROURKE, do hereby certify that the foregoing is an accurate transcription of the within proceeding, to the best of my knowledge and belief.

Roberta O'Rourke



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 93 - 17

DATE PLAN RECEIVED: MAY - 5 1993

The maps and plans for the Site Approval Windsor Crest
Subdivision _____ as submitted by
Shaw for the building or subdivision of
_____ has been
reviewed by me and is approved ✓
disapproved _____.

If disapproved, please list reason _____

[Signature] 5/14/93
HIGHWAY SUPERINTENDENT DATE

[Signature] 5/14/93
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Town Fire Inspector
DATE: 7 May 1993
SUBJECT: Windsor Crest Condominiums

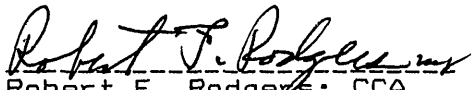
PLANNING BOARD REFERENCE NUMBER: PB-93-17
DATED: 5 May 1993

FIRE PREVENTION REFERENCE NUMBER: FPS-93-024

A review of the above referenced amended site plan III was conducted on 6 May 1993. This site plan review did not include water main or a fire hydrant review.

This site plan is acceptable.

PLANS DATED: 21 April 1993


Robert F. Rodgers; CCA
Fire Inspector

RFR:mr
Att.

93 - 17

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,
OR LOT LINE CHANGE APPROVAL

- Amended Site Plan III
1. Name of Project Windsor Crest Condominiums - Phase I
New Hilltop
 2. Name of Applicant Development Corp. Phone (212)251-0006
Address 16 East 34th Street, 16th Floor, New York, N.Y. 10016
(Street No. & Name) (Post Office) (State) (Zip)
 3. Owner of Record (Same as Applicant) Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
 4. Person Preparing Plan Gregory J. Shaw, P.E. Phone 561-3695
Address 744 Broadway Newburgh, N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
 5. Attorney _____ Phone _____
Address _____
(Street No. & Name) (Post Office) (State) (Zip)
 6. Person to be notified to represent applicant at Planning
Board Meeting Gregory J. Shaw, P.E. Phone 914-561-3695
(Name)
 7. Location: On the west side of NYS Rt. 32
1100 feet south
(Direction)
of _____
(Street)
 8. Acreage of Parcel 24.01 9. Zoning District R-5
 10. Tax Map Designation: Section 35 Block 1 Lot 41
 11. This application is for Amendment III of Site Plan Approval
for Phase I

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? _____

If so, list Case No. and Name _____

13. List all contiguous holdings in the same ownership
Section _____ Block _____ Lot(s) _____

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

_____ being duly sworn, deposes and says
that he resides at _____
in the County of _____ and State of _____
and that he is (the owner in fee) of _____
_____ (Official Title)
of the Corporation which is the Owner in fee of the premises
described in the foregoing application and that he has authorized
_____ to make the foregoing
application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

29 day of April 1993

Donna Vitaliano
Notary Public

[Signature]
(Owner's Signature)

[Signature]
(Applicant's Signature)

PRESIDENT
(Title)

DONNA VITALIANO
NOTARY PUBLIC, State of New York
No. 4996638
Qualified in Orange County
Commission Expires May 18, 1993

PROXY STATEMENT
for submittal to the
TOWN OF NEW WINDSOR PLANNING BOARD

Michael Landau, President of
New Hilltop Development Corp., deposes and says that he
does business
~~resides~~ at 16 East 34th Street, New York, N.Y.
(Owner's Address)

in the County of New York

and State of New York

and that he is the owner in fee of Section 35, Block 1, Lot 41

which is the premises described in the foregoing application and
that he has authorized Gregory J. Shaw, P.E. and Michael Waskew
to make the foregoing application as described therein.

Date: April 29, 1993

[Signature]
(Owner's Signature)

Donna Vitale
(Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF
THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT
AND/OR OWNER AT THE MEETINGS.

TOWN OF NEW WINDSOR PLANNING BOARD
SITE PLAN CHECKLIST

Amended Site Plan III
Windsor Crest Condominiums
Phase I

93 - 17

ITEM

- | | |
|---|--|
| 1. <u>X</u> Site Plan Title | 29. <u>X</u> Curbing Locations |
| 2. <u>N/A</u> Applicant's Name(s) | 30. <u>X</u> Curbing Through Section |
| 3. <u>N/A</u> Applicant's Address(es) | 31. <u>X</u> Catch Basin Locations |
| 4. <u>X</u> Site Plan Preparer's Name | 32. <u>N/A</u> Catch Basin Through Section |
| 5. <u>X</u> Site Plan Preparer's Address | 33. <u>N/A</u> Storm Drainage |
| 6. <u>X</u> Drawing Date | 34. <u>X</u> Refuse Storage |
| 7. <u>X</u> Revision Dates | 35. <u>N/A</u> Other Outdoor Storage |
| 8. <u>N/A</u> AREA MAP INSET | 36. <u>N/A</u> Water Supply |
| 9. <u>N/A</u> Site Designation | 37. <u>N/A</u> Sanitary Disposal Sys. |
| 10. <u>N/A</u> Properties Within 500 Feet of Site | 38. <u>X</u> Fire Hydrants |
| 11. <u>N/A</u> Property Owners (Item #10) | 39. <u>X</u> Building Locations |
| 12. <u>X</u> PLOT PLAN | 40. <u>N/A</u> Building Setbacks |
| 13. <u>X</u> Scale (1" = 50' or lesser) | 41. <u>N/A</u> Front Building Elevations |
| 14. <u>N/A</u> Metes and Bounds | 42. <u>X</u> Divisions of Occupancy |
| 15. <u>N/A</u> Zoning Designation | 43. <u>N/A</u> Sign Details |
| 16. <u>X</u> North Arrow | 44. <u>N/A</u> BULK TABLE INSET |
| 17. <u>N/A</u> Abutting Property Owners | 45. <u>N/A</u> Property Area (Nearest 100 sq. ft.) |
| 18. <u>N/A</u> Existing Building Locations | 46. <u>N/A</u> Building Coverage (sq. ft.) |
| 19. <u>X</u> Existing Paved Areas | 47. <u>N/A</u> Building Coverage (% of Total Area) |
| 20. <u>N/A</u> Existing Vegetation | 48. <u>N/A</u> Pavement Coverage (Sq. Ft.) |
| 21. <u>N/A</u> Existing Access & Egress | 49. <u>N/A</u> Pavement Coverage (% of Total Area) |
| <u>PROPOSED IMPROVEMENTS</u> | |
| 22. <u>N/A</u> Landscaping | 50. <u>N/A</u> Open Space (Sq. Ft.) |
| 23. <u>N/A</u> Exterior Lighting | 51. <u>N/A</u> Open Space (% of Total Area) |
| 24. <u>N/A</u> Screening | 52. <u>N/A</u> No. of Parking Spaces Proposed. |
| 25. <u>N/A</u> Access & Egress | 53. <u>N/A</u> No. of Parking Required. |
| 26. <u>X</u> Parking Areas | |
| 27. <u>N/A</u> Loading Areas | |
| 28. <u>N/A</u> Paving Details (Items 25-27) | |

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

N/A: Indicates "Not Applicable to this submission". All other improvements and details listed on this check list and included in Drawings 1 of 12 through 12 of 12, Phase I, Hilltop Estates, are

still in effect. Also in effect are Amended Site Plans I and II.

By: _____

Licensed Professional

Date: _____

April 29, 1993

PROJECT I.D. NUMBER

617.21

SEQR

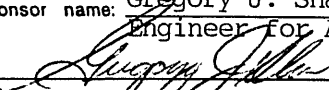
Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR New Hilltop Development Corp.	2. PROJECT NAME Amended Site Plan III-Windsor Crest Condo's, Phase I
3. PROJECT LOCATION: Municipality Town of New Windsor County Orange	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) On the west side of NYS Rt. 32, 1100 ft. south of Union Avenue.	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Project is the amendment of the previously approved site plan indicating additional improvements which will be installed during the construction of Phase I.	
7. AMOUNT OF LAND AFFECTED: Initially 9.45 acres Ultimately 24.01 acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: Project is within the R-5 Residential Zone and is in the vicinity of the R-4 Residential, PI Planned Industrial, NC Neighborhood Commercial, C Commercial, and OLI Office Light Industrial Zones.	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval Site Plan Approval from Town of New Windsor Planning Board	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Amended Site Plan Approval is Required	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: Gregory J. Shaw, P.E. Engineer for Applicant	
Date: April 29, 1993	
Signature: 	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

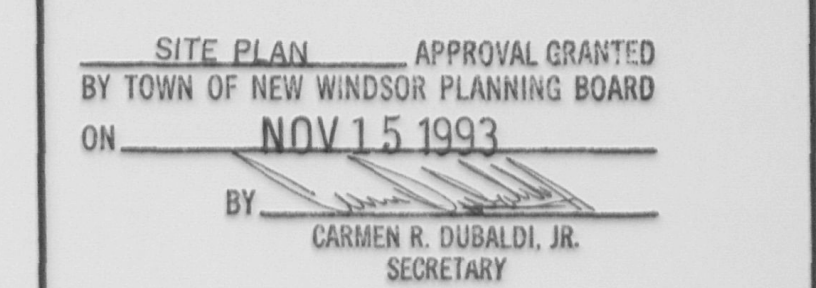
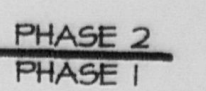
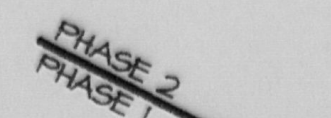
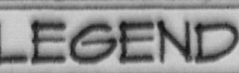
PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: No C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: No C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: No C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: No C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly. No C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly. No C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly. No	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
Town of New Windsor Planning Board	
Name of Lead Agency	
james Petro	Chairman
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer) Gregory J. Shaw, P.E.
Date	



9105